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Inauguration.

The ceremony of Inauguration took place on the [illegible] December A.D. 1855, in the Representative Chamber of the Capitol.

The Governor and Governor elect together with the President of the Senate, and the Lieutenant-Governor elect, attended by the Committee to arrange with the Legislature and a fine Band of Music entered the Hall of the House of Representatives at 11 o'clock AM and occupied seats prepared for them on the speakers stand and surrounded by distinguished officers of the Army and Navy from other states.

The retiring Governor having concluded his valedictory address which contained the Constitution was administered by the Clerk of the House of Representatives to the Hon. Elisha Peck Governor elect in the presence of the members of the Legislature and a large and delighted audience of Ladies and Gentlemen. Immediately his Excellency delivered the following Inaugural Address.

Inaugural Address of Governor E. M. Pease.

Delivered in the Representative Hall of the New Capitol Dec. 21. 1853.

Fellow Citizens

and Gentlemen of the Senate

and House of Representatives.

In appearing before you to assume the duties of the office to which I have been called by the suffrages of my fellow citizens, I feel sensibly the magnitude and importance of the trust that has been committed to my charge and a sincere diffidence of my ability to acquit myself of it in a manner that will meet their just expectations.

In discharging the varied functions of the government over which I have been elected to preside, I shall rely with confidence on the cordial support and co-operation of the Legislature without which my efforts can be productive of but little benefit.

Our country is of peculiar interest; ours is the only state that has come into the union by voluntary annexation, our introduction led the way to an extension of its limits over New Mexico, Utah and California, embracing a window nearly equal to the entire area of the Union at its formation. Although some years were, for a time, entertained, of the effect that such a large and sudden acquisition might have upon the peace and perpetuity of the union, yet experience has demonstrated the fact that no danger is to be apprehended from its expansion, so long as the exercise of its powers is confined to those objects contemplated by the Constitution.

Our present attitude before the world is not less interesting; with a territory containing more square miles than many of the governments of Europe; possessing by nature nearly every element necessary to constitute a great and powerful state, with a large public domain unequalled for diversity and fertility of soil, and a climate adapted to the production of all the necessaries and most of the luxuries of life, with a vast mineral wealth and great capabilities for manufacturing purposes, we have it in our power by a proper use of all these advantages, and a judicious application of our means to lay the foundation for those public improvements and institutions which will hereafter rank Texas as the first state in the American Union.

While we have so many causes for congratulation in the contemplation of our past and present situation, it becomes us as a people to remember with reverence that Being who has hitherto watched over and assisted our progress through scenes of difficulty and trial to our present state of prosperity, and humbly solicit that He will continue to us his beneficent care and protection.

The example of my predecessors will not justify me in detaining you on this occasion to give you my views upon those measures of public policy which I think should receive your attention during the present session. I have availed myself of an early opportunity to do this, so soon that your patriotism, and enlightened judgement will give to them that consideration and reflection which their importance demands.

E M Pease

Executive Office
Austin Texas, 22nd Decr 1853.

appointment of Private Secretary

To Samuel Harris Esqr

Sir,

You are hereby appointed Private Secretary with such salary as may hereafter be allowed to you by the Legislature.

E M Pease

Executive Office
State of Texas
22nd Decr 1853.

Appointment of Secretary of State

To the Honorable
The Senate of the State of Texas.

I have appointed Edward Clark Esqr of the County of Harrison Secretary of State, to which I respectfully ask your advice and consent.

E M Pease

Senate Chamber
Austin Decr 22. 1853.

To His Excellency
The Governor,

Sir,

I have the honor to inform your Excellency that the Senate on this day unanimously confirmed the nomination of Edward Clark Esqr for Secretary of State.

I have the honor to be
Very Respectfully
Your obt Servt
James H Johnson
Sec Senate.

Governor's Message.

Gentlemen of the Senate
And of the House of Representatives:

Governor's Message to Senate & House of Representatives of the State of Iowa.

The constitution makes it the duty of the Governor to give you information, in writing, of the State of the government, and recommend to your consideration such measures as he may deem expedient. It cannot, however, be expected that I shall be able, so soon after my installation, to give you much information upon these subjects; I shall, therefore, for the present content myself with a reference to the very full and satisfactory communication of my predecessor, delivered to you at the commencement of your session, with the assurance that I shall hereafter communicate whatever information I may obtain in relation to the condition and operation of the government, that will be interesting to you, or useful in the prosecution of your labors.

In recommending measures for your consideration, I shall mainly confine myself to a few of those important and leading ones, that seem to have been designated by public opinion for the action of the present Legislature, the early adoption of which, will tend rapidly to develope the resources of the State, and to promote the happiness of its citizens.

Of these measures, one of the most important is, to make to make a suitable and permanent provision for the support of public schools. The highest and most sacred duty of a free government is, to provide the means for educating its citizens in a manner that will enable them to understand their duties and their obligations; this, too, is a measure that is enjoined upon the Legislature by the constitution.

The want of available means has heretofore furnished a ready excuse for the neglect of this duty. But this no longer exists. The State now has ample means at its command, and an opportunity is offered to establish a system of public schools that will extend its benefits to every child within its limits; if we fail to embrace it, we shall be faithless to our duties and the trust that has been reposed in us by our fellow citizens.

It is respectfully recommended, that two millions of dollars of the United States five per cent bonds, now in the treasury, shall be appropriated and set apart as a permanent fund for the support of public schools. That the income of this fund shall be annually apportioned to the several Counties of the State, according to the number of free children in each between the ages of five and sixteen years, to be ascertained in such manner as may be considered most convenient; and that the amount due to each County shall be paid over to the County treasurer semi-annually, to be disbursed under the orders of the County Courts, to such teachers as the parents or guardians of the children may choose to employ for their education.

I do not pretend to recommend this as a perfect system; but its operation will be simple and cheap; it may be commenced without delay, and it seems to be better adapted to our situation than any other system that has come under my notice. A plan very similar to this has succeeded well in some of the neighboring States, where the population is sparse, like our own. Time and experience will point out the defects of the system proposed, and enable us by future legislation to perfect and adapt it to the situation and wants of our population.

I would also recommend that the amount which has already accumulated by the appropriation of the one-tenth of the annual revenue of the State derivable from taxation, be added to the principal of this fund, and that for the future, this tenth be apportioned in the same manner as the income of the fund.

Under the present provisions of the constitution, the lands, that have been donated to the several counties for public schools, cannot be alienated in fee, nor disposed otherwise than by lease, for a term not exceeding twenty years. In a State where land is so cheap as it is here, and where so large a quantity is in market, it cannot be expected that under these provisions any benefit will be derived from these school lands during the present generation. Much of it is located in large bodies, in sections of the State where it would be improved if subject to sale. The policy of reserving from sale, and consequently from cultivation, such large bodies of land, may well be questioned, and I recommend to your consideration the propriety of an amendment of the constitution, by which these lands may be alienated under the direction of the legislature, upon the petition of a majority of the citizens of the County owning the lands.

If such an amendment were adopted, these lands might be subdivided into small and convenient tracts, and each alternate tract might be sold upon a long credit at not less than a minimum price; the purchaser to pay an interest of six per cent, on the amount of his purchase, to be annually expended in the same manner as the school money distributed by the State. By adopting this policy, most of the Counties would derive some immediate benefit from their school lands, and the alternate tracts reserved from sale would much more rapidly increase in value.

The want of a good University in the State, where a liberal education can be obtained, is a serious inconvenience. It should be our policy to furnish, within our own limits all the means for obtaining an education, that can be had in any part of the Union, so as to remove the necessity of having to send our youth abroad to be educated among those who are hostile to the policy and institutions of the State.

The present seems to be a favorable time to lay the foundation for such an institution, and I respectfully recommend that the sum of two hundred and fifty thousand dollars of the United States bonds now in the treasury be appropriated and set apart as a perpetual fund, the interest of which shall be applied to the erection and support of a State University. The income of such a fund, with the amount that may hereafter be received from the lands that have been set apart by an act of the late Republic, will, at no distant period, enable us to build up a University fully adequate to all the wants of our State. I am aware that these lands were appropriated for the establishment and endowment of two Universities, but I suggest for your consideration, that it would be better to have one well endowed institution of the kind, than to apportion our funds for the erection of two, neither of which could afford the advantages which are furnished by similar institutions in other States of the Union.

Should such an appropriation be made, it will be necessary to fix land for the location of the proposed University at some central point, convenient to the entire State, as well as for the erection of the necessary buildings and for the organization and government of the institution.

The establishment and endowment of an Asylum for lunatics, and an institution for the education

of the deaf and dumb are measures that should commend themselves to your consideration. Our census tables show that we have in our midst, many of both of these unfortunate classes, who have a claim upon our sympathy and bounty, and who now have to be sent away from their friends to distant parts of the Union, in order to obtain the means of alleviating and improving their condition.

Institutions of this character cannot be established in a State so new as ours, except under the care and patronage of the government, and I recommend that the sum of five hundred thousand dollars of the United States bonds be appropriated and set apart as a perpetual fund, one-half for each of these institutions, the income of which shall be applied to their erection and support. Should you concur in this recommendation, you will of course pass the necessary laws for their creation, establishment and government.

These appropriations will absorb a large portion of the United States bonds now in the Treasury, but the objects, for which it is proposed to use them, are of great practical utility, and will be productive of benefits as lasting as the institutions under which we live.

The improvement of our navigable water-courses, and the construction of railroads are measures of great interest to our citizens, and have deeply engaged public attention. Our past legislation has frequently been directed to these objects, but has been productive of little if any benefit.

The rejection, at the late election, of the river bill of the last session, cannot be fairly considered as an expression of the people against the policy of attempting to improve our navigable rivers. That bill was defective in its details, and made insufficient appropriations for those streams that are susceptible of being improved, while it contained many appropriations for objects of questionable utility. It should be borne in mind that our large rivers have, without any improvement, hitherto furnished the means of transporting most of our productions to a market, and we must continue to rely upon them to a great extent for many years, even if the construction of railroads shall proceed as rapidly as is anticipated by the most sanguine friends. It is believed that a moderate expenditure of money by the government, would greatly increase their usefulness, and add largely to the value of the taxable property of the State. If such be the case, it certainly is an object worthy of our encouragement and patronage.

The advantages to be derived to our State from the construction of railroads, are too obvious to require demonstration; the necessity for them is felt and acknowledged by all, and it is a question of great interest to our citizens to devise and adopt some policy, by which we can secure their construction at the earliest period.

The limitations imposed by the Constitution, upon the power of the Legislature, preclude the State from undertaking these improvements or becoming a part owner of the Stock of any corporation created for that purpose. The active capital in the hands of our citizens is insufficient to secure their construction, but, for the attainment of this object, we may hold out sufficient inducements for the introduction of capital from abroad. It cannot be disguised that the population and business of the State are not such, at this time, as to promise the return of an immediate profit on the amount that may be invested in such enterprises. Indeed, it may well be doubted whether a railroad in any section of the State would, for the next five years, pay an interest of five per cent, on the amount invested, in addition to the cost of repairs and other expenses necessary to keep the road in operation. If, therefore, we would invite the employment of capital from abroad, in railroads in this State, we must hold out such inducements of ultimate profit as will compensate the holders of it, for the small interest they will receive during the first years of its investment. Fortunately, the large extent of our public domain will enable us to do this, without imposing any onerous burden on our citizens.

I had intended on this occasion to present you my opinions in relation to the best mode of securing the passage across our State of the proposed railroad to the Pacific Ocean; but this is now rendered unnecessary by the bill which you have already passed, to provide for the construction of the Mississippi and Pacific Rail Road. While the principal provisions of this law are unobjectionable, I think it might have been improved in some of its details, particularly in that provision which authorizes the company to receive patents for the lands selected previous to the completion of the entire road.

It is to be hoped that this law will accomplish for the State all that is anticipated by its framers.

The duties and responsibilities imposed upon the Governor under the provisions of this law will be cheerfully undertaken, and I shall endeavor to execute them in a manner calculated to effect the objects intended by the Legislature. In adopting any general system for aiding other companies in the construction of railroads, we find ourselves embarrassed by the numerous charters that have heretofore been granted to individuals, without any specific designation of the routes they were to pursue, who still hold and rely on them, although not a dollar of capital stock has ever been paid. It is much to be regretted that instead of granting charters indiscriminately to all who applied, without any assurance that the applicants were possessed of the necessary means to comply with their provisions, the State did not first locate and survey such routes as the wants of commerce and the business of the country seemed to require, and then grant charters for those routes to companies who should organize after a subscription of stock, with an amount actually paid at the time of subscribing, sufficient to show an intention of prosecuting the work in good faith. Had this course been pursued, our statute books would not have been encumbered with railroad charters, many of them commencing nearly at the same point, and conflicting with each other in the routes they propose to pursue, nearly all of which have expired, or are about to expire without having accomplished anything beneficial to the public.

In regard to such charters as have been heretofore granted, I respectfully recommend that no extension of time shall be granted to any company, unless satisfactory evidence is presented, that it has actually commenced the construction of its road, and that a sufficient amount of stock has been paid to give a reasonable certainty that the road will be completed. I would also suggest that in all such cases, the route and termination of the road shall be designated, when this has not been done in the original charter, and if any further donations of land are made to such companies, they should receive the patents only on the final completion of their roads.

In extending aid to future railroad enterprises, we ought to avoid the evils that have attended our past legislation on the subject.

I would suggest that all charters hereafter granted to railroad companies, should specifically designate the route to be pursued as well as the commencement and termination of the road. That they should

appoint commissioners to receive subscriptions for stock, a portion of which should be paid at the time of subscribing and whenever a reasonable amount of stock has been subscribed on these terms, the stock holders should be permitted to hold an election and organize the company. That the charter should also limit the time within which the companies shall commence their roads, and prescribe the number of miles to be constructed from year to year, until their final completion. The State should grant bounties of land sufficient to induce capitalists to become stockholders in companies thus organized, the land to be selected from time to time, as the road progresses, but no title to be issued until the road shall be completed according to the terms of the charter. These companies should be required to alienate the lands thus acquired within a limited time after the completion of their roads. Should this course be adopted, the State would secure the construction of valuable works of internal improvements, before she parted with her lands, instead of being liable to have the works abandoned after those portions have been constructed which promise an immediate profit.

I would also suggest that the alternate sections upon the line of the Mississippi and Pacific road be granted to other roads connecting this with our Gulf ports, with the Vicksburg road, and the New Orleans and Opelousas road, at such points as will best accommodate the different sections of the State.— Such a disposition of these sections is but just, since the portions of the State through which these branch roads are to be built, will receive no immediate benefit from the Pacific road unless they are thus connected with it.

In addition to the aid proposed to be extended to railroads in the manner heretofore indicated, I think it would be good policy to authorize the School fund, the University fund, and any other funds that may be set apart by the State, for charitable and benevolent uses, to be loaned out, from time to time, to railroad companies, in this State, as they may progress with the construction of their roads. I entertain no doubt in relation to the power of the legislature to make this disposition of these funds. The period is not very remote, when the United States bonds will be redeemable, and necessity will then force us, if we would derive an income from their proceeds, to make some investment of them. If they can be securely loaned out, so as to be used in the prosecution of works of improvement

calculated to develope the resources of the State, and contribute to the wealth and convenience of our citizens, it is our duty to make this disposition of them.

Should these views meet with your approbation, I recommend that a Board of Commissioners be established to consist of the Comptroller, Treasurer and Secretary of State, who shall be authorized, with the concurrence of the Governor, to loan these funds at six per cent. interest per annum, payable semiannually, for a period not exceeding twenty years, to companies chartered by this State, for the construction of railroads and other works of internal improvement. The amount loaned to any company, in no case, to exceed the one-third of the actual cost of the works that have been constructed, and to be well secured by a lien on the property of the company, subject to be enforced without a suit, by a sale after sixty days public notice.

The condition of the Indian tribes within the limits of our State calls for some action on the part of the Legislature. Our situation in relation to this class of population is different from that of any of the frontier States of the Union. In these the General Government has the sole and exclusive control of the public domain over which the Indians formerly roamed, and under the power given by the Constitution, to Congress, to regulate commerce with the Indian tribes, that department has assigned to them certain limits which they are to occupy, and regulates all intercourse between them and the whites, and also between the different tribes. Under this policy, Indian depredations have ceased for many years. The General Government has the same power to regulate intercourse with the tribes within our limits, but it cannot be efficiently exercised, because, having no right in the public domain, it cannot set apart any particular district for their occupation, and without this their movements cannot be controlled. I respectfully suggest that a portion of our vacant domain, remote from the settled parts of the State, shall be appropriated for the temporary occupation of those remnants of tribes that properly belong to this State; that all locations within the limits thus be prohibited, and that a qualified jurisdiction for Indian purposes be ceded to the General Government for a term of years, provided she will engage to remove them within those limits and keep them there subject to her laws regulating intercourse with the Indian tribes.

The business before the Supreme Court is increasing so rapidly, that it will soon be impossible, with the present number of Judges, to dispose of the docket during each term; indeed, the number of cases now taken

to that Court is so great, that many important ones are continued over from term to term for want of sufficient time to give them that thorough investigation which the vast interests involved require at the hands of the Judges. Much of their time is consumed in preparing the written opinions which they are required to give in each case. By increasing the number of the Judges, this labor will be divided, and more time given to the examination and decision of causes. I therefore recommend an amendment of the Constitution, so as to give the Legislature the power to increase the number of the Judges to five. Should you concur in this recommendation, I suggest that you, at the same time, propose an amendment giving to the Governor power to fill all vacancies that may occur in the Supreme and District Courts, and the Offices of Attorney-General, District-Attorney, Comptroller, Treasurer and Commissioner of the General Land Office, by appointment, to continue in force until the vacancy can be filled by the people at the next regular election for State or County Officers. Under the present provisions of the Constitution, should any of these officers die or resign, the office must continue vacant until an election can be held, which will take several months. Such an amendment would obviate the necessity that now exists for frequent elections at different periods in the year, and subserve the public interest by having these offices temporarily filled, immediately on the happening of a vacancy.

In connection with this subject, I feel it my duty to call your attention to the inadequate salaries now paid to the Judges of both the Supreme and District Courts. The duties of these offices are very laborious, and they should be filled only by men of stern integrity, and of superior legal attainments. It would seem needless to argue that, in order to secure men of qualifications adequate to the important and laborious duties which they have to perform, a just compensation should be paid for their services. It must be obvious to all, that the present incumbents of these offices have never received salaries commensurate with their labors and merits. I trust that this subject will not fail to receive your early attention and efficient action.

Your attention is invited to the law regulating appeals to the Supreme Court in Criminal cases, under the provisions of which, in all cases, not capital,

The prisoner, after conviction, by taking an appeal, is permitted to be released on bail. For several offences persons may be confined to hard labor in the Penitentiary for fifteen years; for others they may be confined in like manner for life; still, by this law, they, by taking an appeal, are entitled to bail after they have been convicted by a jury and thus in all cases, except Treason, and murder in the first degree, convicts have it in their power to purchase exemption from the penalties of our criminal laws. It is hoped that this evil will be remedied without delay.

It is believed that an examination of our criminal laws, will show, that there are some offences, for which free persons may be subjected to the barbarous punishment of whipping. These provisions are inconsistent with the general spirit of our criminal laws, and ought not longer to be retained.

Our laws, both civil and criminal, in my judgment, require a careful revision. We have adopted, it is true, the best portions of two different systems, but this was not done at the same time, and it was usually effected by crude and hasty legislation; as a necessary consequence, these different parts have never been brought to combine into one harmonious system. Our rules of pleading and of practice in the Courts are meagre and exceedingly defective. Our Statutes concerning crimes and punishments were often passed without reflection, many of their provisions conflict with each other, and these, more than any other portions of our laws, require to be carefully revised and amended. These are defects which hasty legislation cannot cure.

I would recommend that you make a suitable provision for the appointment of a commission of three gentlemen learned in the law, whose duty it shall be to prepare a code of civil and one of criminal procedure; and also a code of general laws or rules of decision, and that all these be reported for the action of the next Legislature.

Should this be done with ability and care, our system of procedure might be better adapted to the attainment of the ends of justice than any other which has been devised, and the whole of the rules and principles of the general laws, which are now diffused in an almost endless number of text books and reports, could then be contained in a single volume. This would be accessible to all, and should be adapted, as near as possible, to every comprehension.

For the reasons mentioned above, it is evid-

but that time is a stronger necessity for a revision and modification of our laws, than those of any other State in the Union. Besides, we should receive aid from the lights furnished by the successful experiments of several of our sister States. I feel entire confidence in recommending this measure to your attention as one calculated to be productive of vast advantage to the State.

Our Territory is so extensive and so sparsely settled, that but little is yet known of its agricultural and mineral capacities. This must continue to be the case, if we wait for the slow process of settlement to develope them. It is believed that an accurate and scientific geological survey of the State, will disclose sources of wealth and prosperity that would otherwise remain unknown for years; besides giving an accurate knowledge of our mineral wealth and its localities, it will doubtless show the capacity of our soil for the production of many profitable articles for export, the cultivation of which is now entirely neglected. By diffusing this information abroad, we shall make known, the great inducements that our State offers to emigrants, and insure a large increase of population. I recommend this measure to your serious consideration.

I think it important that provision should be made for running and marking the boundary between Texas and the Territories of the United States, from the point where it leaves Red River to where it intersects the Rio Grande. This duty might be imposed upon those who are selected to make the geological survey, without incurring much additional expense. The execution of any law that may be passed on this subject, would of course, be dependent upon a law being passed by the congress of the United States, or the appointment of commissioners on her part, to join in the work. It is believed that our Senators and representatives in Congress would have no difficulty in procuring the passage of such a law, if the initiatory step be taken on our part.

The Penitentiary as at present conducted, is a heavy expense to the State. It is believed that if the buildings were completed and enclosed with a wall, according to the original plan, and suitable work shops erected, the labor of the convicts might be let out to the highest bidder,

for a term of years, for an amount more than sufficient to re-imburse the expense of their maintenance. Under such an arrangement, the contractors should be required to employ the convicts, either in manufacturing or at such trades as would be least calculated to interfere with the mechanical industry of the State. It is hoped that this subject will receive that attention from you which its importance demands.

The laws granting pre-emption rights to actual settlers upon the public domain are somewhat obscure and conflicting in their provisions. I think it advisable that they be revised and so changed as to grant to each settler only two hundred acres of land. This is the quantity protected by the Constitution, as a homestead to each head of a family, and is sufficient for farming purposes.

In connection with this subject, I call your attention to the law in relation to the right of aliens to hold lands. We are daily receiving large accessions to our population, by immigration from foreign countries. The first wish of these immigrants, on their arrival here, is to secure a home and an interest in the soil; but they are now denied this privilege until they have resided here five years, the period required for their naturalization. In many of the States of the Union, laws have been passed authorizing aliens to hold lands immediately on their arrival, provided they make a declaration under oath of their intention to become citizens. Some of them have gone so far as to incorporate a provision in their Constitution, giving to aliens all the rights of citizens of the State at a period much earlier than they can be obtained under the naturalization laws of the United States. This policy has secured to these States a large portion of the foreign immigration for the last few years, and has added much to their productions and wealth. If the same liberal policy were here adopted, similar advantages could not fail to result to our State.

The State has heretofore made ample provision for a just and equitable settlement and payment of her revolutionary debt, and a portion of our creditors have acceded to the settlement of their claims, and received payment therefor; others refuse to acknowledge the right of the State to ascertain and fix the amount of her indebtedness to them, and insist upon receiving the face value of their claims, although they were issued by the government at rates varying from twenty to seventy cents on the dollar. In consequence of this refusal, five millions of the five per cent. stock that were to have been issued under

the provisions of the act of Congress approved the 9th. day of September, 1850, providing to the State of Texas the establishment of her northern and western boundaries, &c., are still unavailable to the State. A reasonable time has already been allowed for these creditors to accept of the terms proposed, and receive payment of the amount due them. I therefore respectfully suggest that a law shall be passed designating a time, within which, all holders of recognized claims against the State of Texas, shall present them to the Treasurer, accompanied with releases of all claim against the United States for or on account thereof, in the form that has been prescribed by the Secretary of the Treasury, and approved by the President of the United States, or that such claims shall be forever barred and the holders no longer recognized as creditors.

The late period of your session at which I have an opportunity to make this communication, reminds me of the inappropriate time that the Governor enters upon the discharge of his duties. While the Legislature and the Governor are elected at the same time, about seven weeks intervene, between the commencement of the labors of these different departments of government. It is believed that if they entered upon their duties simultaneously, the sessions of the Legislature would be less protracted, and a large amount of expenditure saved to the State. I therefore recommend that the constitution be so altered, as to require the Governor to be installed at the commencement of the regular sessions of the Legislature.

Many other subjects of legislation, both of general and local interest, which have not been noticed, will doubtless suggest themselves to you.

The situation of Texas at this time demands practical legislation.

I trust that all sectional feelings and prejudices will be discarded from your councils, and that every measure will be examined and acted upon solely with reference to its merits, and the effect it may have upon the interest of the State at large.

Our present condition is a most prosperous one, immigration and wealth are pouring into the State more rapidly than at any

former period. A spirit of enterprise and improvement is now abroad among ~~the~~ our people, which if judiciously fostered and encouraged, will at no distant period enable Texas to occupy that position among her Sister States to which she is entitled from her extent of territory and great natural resources.

It is my sincere desire that you may be able hereafter to reflect that your labors have contributed much to elevate the moral, social, and political condition of the State.

December 23. 1853.

E M Pease

Executive Office,
Austin Texas
31st Decr. 1853.

Gentlemen of the Senate
and of the House of Representatives:

I transmit for your consideration, a memorial that has been presented to this Department by Leslie Combs, a citizen of the State of Kentucky from which it appears that he is the holder of certain liabilities of the late Republic of Texas, amounting, at their ostensible value, to the sum of sixty-nine thousand and two hundred dollars besides interest, which have never been filed with the Auditor and Comptroller under the provisions of "an act to provide for ascertaining the debt of the late Republic of Texas," approved 9th March 1848, and "an act to extend the provisions of said act, approved 8th February 1850."

I am unwilling to depart from the rule that has been adopted by previous legislation for ascertaining and paying the debt of the late Republic, and cannot therefore recommend the payment of the claims of Mr Combs in the manner that he desires, but I am impressed with the necessity for allowing a further time within which ~~which~~ Mr Combs and all other persons holding claims against the Republic of Texas, who neglected to file them with the Auditor and Comptroller under the provisions of the acts of the 9th March 1848, and 8th February 1850, may yet file them and have them placed on the same footing as those which have been filed.

It will be recollected that when the time expired for filing claims with the Auditor and

Comptroller under the provisions of the act referred to, then were claims which had not been filed amounting to about the sum of one million, nine hundred and eighty two thousand, one hundred and seventy five dollars at their ostensible value, equal to about the sum of one million, one hundred and seventy five thousand, four hundred and eleven dollars at the value fixed upon other similar claims by the Auditor and Comptroller.

The last Legislature at its extra session in February 1853, passed an act allowing a further time of eighteen months from the 7th day of February 1853, to present to the Auditor and Comptroller all claims for personal services, civil or military, and for supplies, but made no provision for any other description of claims. This act made provision for about the sum of four hundred and eighty six thousand, five hundred and forty dollars of the claims which had not been filed, at their ostensible value, equal to about four hundred and fifty thousand dollars at their real value, leaving unprovided for, about the sum of one million, five hundred and ninety five thousand, six hundred and thirty five dollars at their ostensible value, equal to about seven hundred and twenty five thousand, four hundred and eleven dollars at their real value.

No good reason can be adduced, why this preference should have been given to a portion of our creditors over the others; all should have been allowed the same privilege - our own records prove the existence of these claims, and justice requires that the holders of them should have the same time for their presentation and authenticatement as has been granted to claims for personal services and supplies.

I submit this matter to your consideration, with full confidence that you will do justice to every class of our creditors.

E M Pease

1854.
January.

Executive Office,
Austin 2nd Jany 1854.

Gentlemen of the Senate
and of the House of Representatives.

I herewith transmit for your consideration a letter, from the Secretary of State of the United States, with a copy of the Consular convention concluded between the United States and France on the 23rd of February 1853, which was received at this Office some time since.

It appears that, by the Seventh article of this Convention, the President engages to recommend the passage of such laws as may be necessary to authorize aliens to hold real estate, in these States where this right is not already enjoyed by the existing laws.

I deem it unnecessary to do more, at this time, than to call your attention to this communication, as the subject has already been adverted to by me, in a message heretofore submitted to the Legislature.

E M Pease

State of Texas
Executive Department.

Whereas representations have been made to this Department by the Commissioners of Pilots for the Port of Brazos Santiago, and sundry other persons, that William Leitch one of the Branch Pilots at said Port of Brazos Santiago, is incompetent and unworthy of said trust, and that the public interest will be subserved by his summary removal from office.

Now therefore Be it known that, I, E M Pease, Governor of the State of Texas, by virtue of the authority conferred on me by the provisions of, "an act for the regulation of Pilots," approved the 17th day of April 1846, have and by these presents do hereby remove the said William Leitch from the Office of Branch Pilot for the Port of Brazos Santiago now held by him.

In Testimony whereof I have hereunto Set my hand, and caused the Great Seal of the State to be affixed. Done at the City of Austin, this the fifth day of January A.D. 1854, and of the Independence of the United States the 78th, and of Texas the 18th. year.

L. S.

By the Governor
Edward Clark
C. W. Ruse
Secretary of State.

Executive Office
Austin 6th. January 1854

To the Hon
The Senate of the State of Texas.

Appointments of Notaries Public confirmed by Senate.

I have made the following appointments, to which I respectfully ask your advice and consent viz—

James. B. Smith, Branch Pilot, at the Port of Brazos Santiago, in place of William Leitch removed—

Thomas B Stubs Branch Pilot for the Port of Aransas, an original appointment.

Notaries Public.

E. H. Cushing, for Brazoria County, in place of Edwin Nash resigned

John. C. Clebland for Calhoun County, reappointed, his term having expired.

J. J. Brown for Cameron County in place of J H Brewer resigned.

P. H. De Courney for Cameron County in place of Isaac H Le Baron who has removed from the County.

E. S. Benners of Cass County in place of Charles Westmoreland resigned.

F. H. Clark of Cass County in place of J. W. Ferris, who has become a member of the Legislature.

James. M. Jackson of Falls County an original appointment.

William Wright of Falls County an original appointment.

Samuel A. Roberts for Hamlin County reappointed, his term having expired.

Joseph B Bart for Harris County in place of Justin Castanie resigned.

William A Watson for Harrison County in place of E A Smith resigned.

Augustus W. Sullivan for Milam County in place of A. S. Chamberlin resigned.

John. W. Stevens for Webb County an original appointment.

E M Pease

Executive Office,
Austin 9th January 1854.

To the Hon
The Senate of the State of Texas.

Message of Governor Pease vetoing Galveston Houston and Henderson Railroad Company

I feel constrained to withhold my approval from, "an act supplementary to an act to establish the Galveston, Houston and Henderson Railroad Company" which originated in your Honorable body, and I therefore return it to you, in accordance with the provisions of the 17th Section of the 5th Article of the Constitution.

This act grants eight Sections of land, of six hundred and forty acres each, for every mile of railroad that the company may construct, without naming any period of time within which said road shall be constructed. Under the provisions of this and the original act, if the company shall commence this road within twelve months from the first day of March 1853, and complete forty miles within three years from its commencement, they may construct the remaining portion of the main trunk, its extension from Henderson, and its branches, at any time during the existence of the charter, which is ninety years from its passage, so that said company will be entitled to receive eight sections of land for each mile of said main trunk, beyond the first forty miles, and for each mile of its extension beyond Henderson, and each mile of any of its branches that may be constructed at any time during the next ninety years.

Now while I am willing that the State shall grant large bounties of land for railroads that

may be constructed within the next five or eight years, I am not willing that these bounties shall be continued for twenty, thirty or forty years, because our past history fully justifies the belief that long before that period, the population and business of the State will induce capitalists to construct all such railroads as may be needed, without any bounties of land from the State.

This act also authorizes and empowers said company to extend said railroad from the town of Henderson in Rusk County by such course and in such direction as the company may deem proper, in order to connect with the Pacific or any other railway. No time is named within which this extension shall be commenced, prosecuted or completed.

If an extension of this road is desired by the citizens of that section of the State, so as to connect with the Pacific Road, the Vicksburg Road, or the New Orleans and Opelousas Road, or even with all of said roads, I have no objection to the grantage of land to effect these objects, if they designate the routes to be pursued, the points where such connections are to be formed, and a reasonable time within which such extensions shall be commenced and completed, but I am unwilling to grant to any railroad company the indefinite power of extension which is given by this act.

Under the provisions of this act, the company may by survey, reconnoisance or otherwise, fix or designate their tracks from Galveston to Henderson; the tracks for an extension from Henderson to any section of the State where it will connect with another railroad, and also the tracks for an indefinite number of branches, and in all cases where said tracks pass through any public lands, all such lands for a width of six miles along said tracks are reserved from location, during the pleasure of said company, provided they shall commence their main trunk within twelve months from the 1st day of March 1853, and complete forty miles of it within three years from its commencement, for it will be observed that these reserved lands are only to be divided into sections as fast as the road is continued.

In all cases where such reservations are made, I think they should be required to be surveyed within a reasonable period, and they ought not to be continued for the benefit of any company a longer time than will be necessary to select its lands, after the completion of its road, which should be done within six or eight years.

I have briefly stated the main objections which I have to this act, others might be named to the original act, the correction of which may be demanded by the Legislature as the condition upon which bounties of land shall be granted to the company, such for instance, as depriving the company of its power to construct an indefinite number of branches, and the insertion of a provision requiring a certain number of miles of road to be constructed from year to year until its final completion.

This is the first act, in relation to railroads, that has been presented to me for my approval, and I have felt it to be my duty to make an effort to correct what I deem to be some of the most material errors of our previous legislation on the subject.

Ed Pease

Executive Office
State of Texas
16th January 1854.

Gentlemen of the Senate
And of the House of Representatives.

I transmit herewith the report of James B. Shaw Comptroller and James H Raymond Treasurer, as commissioners for the erection of a fire-proof building for a Treasury Department and Comptroller's Office of the State of Texas, together with a copy of the contract made by them with Michael De Chaumes for the construction of said building, and other papers relating to the subject, all of which are named particularly in said report.

It will be seen from an examination of this report that the contractor Mr De Chaumes, made some

alterations in the building which add much to its appearance, and give it greater strength and durability as well as more room, these alterations were made with the permission of the Commissioners but without any liability on their part to remunerate the contractor.

Accompanying said report you will also find a letter from Mr Dr. Chaumes setting forth the extra labor and expense incurred by him in making said alterations.

The Commissioners request that a joint Committee of the two Houses of the Legislature may be appointed to examine said report and accompanying papers and their acts as Commissioners, with power also to examine the building which is now nearly completed and report whether Mr Dr Chaumes shall be compensated for the extra labor and expenses incurred by him in making the alterations in said building.

The Commissioners speak in the highest terms of the manner in which Mr Dr Chaumes has executed his contract, and their well known integrity and business habits are a sure guaranty that this opinion is not given without examination.

I trust therefore that the Legislature will grant them a joint Committee with the powers they request.

E. M. Pease

Executive Office
Austin 15th Jany 1854

The Governor of the State of Texas
Sir. Hon Sam Houston
and Hon Thomas J. Rusk.

Gentlemen.

On the 5th of February 1852, a Joint Resolution was passed by the Legislature directing "That application in behalf of this State be immediately

made to the Congress of the United States, through our Senators and Representatives in Congress, requesting that Honorable body to make an appropriation of twenty six thousand and seventy five dollars, the same being due to this State as a balance of the claim liquidated and established between the two governments prior to annexation, in the case of the recapture of goods by citizens of the United States, introduced into Texas in contravention of her revenue laws, and seized by her collector of customs at Bryarly's landing on Red River in the Spring of eighteen hundred and forty three.

The same Resolution also directed that copies of the Governors message and the documents referred to therein, applicable to said claim, and the report of the committee of the Legislature to which said message and documents were referred, should be furnished to our Senators and Representatives in Congress.

I understand that copies of the Resolution and of the accompanying documents were not furnished to our Senators and Representatives in Congress by my predecessor because the report of the attorney General, which was one of said documents, and contained a detailed history of the origin and liquidation of said claim, was mislaid and could not be found.

This report has recently been found, and I now forward you a copy of said Resolution and the accompanying documents, and respectfully request that you will cause them to be laid before the Congress, and endeavor to procure the appropriation desired by the Legislature.

A schedule of said documents will be found contained in the certificate of the Secretary of State accompanying them.

I have the honor to be
very respectfully
your obt Servt
E M Pease

A similar letter was addressed to Hon George W Smyth and Hon R. H. Bell on the same day.

Edward Clark
Secretary of State.

Requisition for arrest and delivery of Arthur S. Moore

Executive Office
Austin January 16th 1854

E M Pease
Governor of the State of Texas
To His Excellency the Governor of Louisiana Greeting

Whereas it appears by the annexed documents, which are hereby certified to be authentic, That Arthur S Moore stands charged with an assault with intent to kill and murder, committed upon one James K Wilson, committed in the State of Texas, and information having been received that the said Arthur S Moore has fled from justice and taken refuge in the State of Louisiana—

Therefore, I, E M Pease, Governor of the State of Texas, have thought proper in pursuance of the provisions of the Constitution and laws of the United States, to demand the surrender of the said Arthur S. Moore as a fugitive from justice, and that he be delivered to James K. Wilson, who is hereby appointed the agent on the part of the State to receive him—

Given under my hand and the Great Seal of the State affixed, at the City of Austin this the 16th day of January A.D. One Thousand Eight hundred and fifty four, and of the Independence of the United States the Seventy Eighth, and of Texas the Eighteenth year.

L.S.

E M Pease

By the Governor,
Edward Clark
Secretary of State.

The State of Texas.

Whereas, It has been certified to me, according to law, that there is no competent Court for the trial and adjudication of the case, No 9, styled Tomasa Power Exec &c vs Sarah D Smith Admx &c, now pending before the Supreme Court of the State at the City of Galveston, in consequence of the Hon. Chief Justice Hemphill and Hon Justice Wheler being divided in opinion, and Hon Justice Lipscomb being incompetent to sit.

Now therefore, to the end that a trial and determination of said cause may be had, I, E M Pease Governor of the State of Texas, by virtue of the power in me vested by the Constitution and laws of said State, do hereby appoint and commission Pryor Lea Esquire, a gentleman learned in the law, as a Special Justice to sit in the trial of said cause and determine the same.

In testimony whereof I have hereunto set my hand and caused the Great Seal of the State to be affixed, at the city of Austin, this the 16th day of January A.D. 1854, of the Independence of the United States the 78th and of Texas the 18th year.

L.S.

By the Governor
Edward Clark
Secretary of State.

E M Pease

Executive Office
Austin Texas 17th Jany 1854.

Dear Sir.

I take the liberty of sending you enclosed a copy of an extract from a communication addressed by the Miniuthin Governor of New Mexico, to the Commissioner of Indian affairs at Washington City containing a narrative of the capture, by the Comanche Indians, within the limits of this State, of Mrs Jane Wilson of Hunt County, and two boys, the aged twelve years and the other seven, and also of the sufferings and escape of Mrs W.

This extract was received at this Office last

Evening in a letter from Governor Meriwether dated 13th of Decr 1855. It appears that Mrs Wilson, after almost incredible sufferings, arrived at Santa Fe on the 3rd Decr 1855, when she was hospitably received and kindly entertained, but the two boys were still with the Indians when the Governor wrote, although he had taken measures to effect their recovery an account of which will be found in his communication.

Humanity requires that every effort should be made to liberate these boys from their cruel captivity and restore them to their friends.

This outrage having occurred within the limits of your agency, I feel it to be my duty to call your attention to the facts, and to request that you will promptly cause such measures to be adopted as will insure their early release and restoration to their home.

Governor Meriwether suggests that his intention to send the traders back to the Indians with a view to the rescue of the two boys, as well as all other portions of his communication to the Commissioner, except the narrative of Mrs Wilson, be considered as confidential, as a different course might defeat his object, and endanger the lives of the traders, but I have thought it best that you should be put in possession of all the facts, trusting to your discretion not to make public those parts of his communication that he suggests should be regarded as confidential.

I have the honor to be
Very Respectfully
Your Obt Servt
E M Pease

To
Maj Robt S. Neighbors
U.S. Indian Agent &c
For the State of Texas.

Executive Office
State of Texas
Austin 17th - Jany 1854

Gentlemen of the Senate
and of the House of Representatives.

A letter was received at this office, last evening from the Governor of New Mexico, dated 15th Decr 1853, and including a copy of an extract from a communication addressed by him to the Commissioner of Indian Affairs at Washington City, relative to the captivity and rescue of Mrs Jane Wilson of Hunt County in this State.

This extract contains the narrative of Mrs Wilson, of the particulars of the capture of herself and two boys, one twelve years of age, and the other seven, by the Comanche Indians, and of her escape.

It appears that Mrs Wilson is now at Santa Fe, where she has been kindly treated, and that Governor Meriwether proposes to send her to her friends in Texas as soon as her condition will enable her to travel in the stage.

Governor Meriwether informs me that he has taken measures to rescue the two boys who are still with the Indians

I have forwarded a copy of this extract to Major R. S. Neighbors and requested him to endeavor to obtain these two boys from the Indians as early as possible, and have also addressed a letter to the Commissioner of Indian affairs at Washington City, requesting him to also take measures to effect their immediate release.

I transmit herewith, a copy of said Extract for your information, and shall cordially unite with you in any further measures you may deem necessary to be taken.

E M Pease

Whereas, "an act to provide for the construction of the Mississippi and Pacific Railroad," was passed by the Legislature of the State of Texas, and approved the 21st of December, 1853, which act appropriates to any company who may construct a railroad from some point on the eastern line of the state not north of the town of Fulton in Arkansas, to a suitable point on the Rio Grande at or near the town of El Paso, crossing the rivers Trinity, Brazos and Colorado as near the 32d° of north latitude as practicable, and put the same in complete operation, 20 sections of land of 640 acres to the section, for each mile of said road, and also a right of way, not exceeding 300 feet in width, along the entire length of said road through the public lands of the State, and also all the material of every description, on the public lands in the vicinity of said road, while they remain the property of the State, for the uses and purposes of said road, in its construction and in supplying it with the necessary furniture and machinery, but no timber on the alternate sections reserved to the State to be used after the completion of the road, except upon the three hundred feet granted as the right of way. All of the unappropriated public lands of the State, between the 31st and 32nd degrees of north latitude and east of the 105 degree of longitude west from Greenwich, and between the parallels of 30 degrees and 30 minutes and 32 degrees of north latitude, and west of said 105d degree of longitude, are reserved from location until the track of said road is selected, after which all of said unappropriated land within 30 miles on each side of said road is reserved, and so soon as said track is located, the company contracting for said road is to cause said reservation to be surveyed into sections of 640 acres each, said sections to be in a square, and those adjoining the road to front one mile thereon and no more, unless prevented by surveys made previous to the passage of said act; and when said company shall have completed 50 miles of said road, they may designate 20 sections of land for each mile so completed, to be taken in alternate secti-

ons, so that no two sections shall join each other except at one corner, which shall be patented to said company or their assigns, free of cost, and in like manner for each section until the road is completed; and in case there is not sufficient vacant land in said reservation to give said company the land to which they may be entitled, they shall receive the residue in certificates of 640 acres each, which they may locate on any other vacant land of the State, at the cost of the company, so that no two sections shall join, except at one corner; said lands to be alienated by the company, one-fourth in six, one-fourth in eight, one-fourth in ten and one-fourth in twelve years after their selection. The said act requires the said road to be of the first class, and constructed in the most substantial manner, with all the necessary appurtenances, locomotives, passenger and freight cars adapted to the business to be done, the rails to be of the best quality, weighing not less than 64 pounds to the yard; 50 miles to be finished and put in complete operation within eighteen months after the contract for building the road is entered into, and at least 100 miles to be finished and put in complete operation in like manner every year thereafter until the whole is completed. When the company commence receiving toll on any section of 50 miles, they are to have the same, at all times, in good repair, and sufficient suitable carriages and vehicles for the transportation of persons and property.

The company who contract to build said road, their associates and successors, and those who may become stockholders in said company, are declared by said act to be a corporation for the term of 99 years, by the style of the Mississippi and Pacific Railroad company, with the rights, powers and privileges necessary for the purposes of said act, and not inconsistent with the constitution and laws of the United States and this State. And for the purpose of constructing a continuous railway from the Mississippi river to the Pacific Ocean, said company are authorized to form connections and make agreements with other companies, and when such companies are so united by agreements recorded in the office of the Secretary of State, they

shall be regarded as one corporation, with all the rights and privileges necessary to the accomplishment of the object not inconsistent with the Constitution and laws of the U. S. or any State through which said road may be constructed. The Capital Stock of said corporation to be twenty millions of dollars, which may be increased to any sum not exceeding the entire amount expended on said road, to be divided into shares of one hundred dollars each, which shall be deemed personal property, and may be subscribed for, issued and transferred as may be prescribed by the by-laws of said company. The said company are required within 60 days after entering into a contract for the construction of said road, to deposit with the Treasurer of this State, at least 300.000 in gold or silver, or evidences of debt of the State of Texas, or other good paper securities, as a guarantee that 50 miles shall be constructed and in complete order for business within eighteen months from the date of the contract, to be forfeited in case of failure, and to be returned to the company in case said 50 miles is completed according to the terms of the contract. In case the company fail to make this deposit, the contract to be null and void. If the company fail to finish the road as specified in the contract, then the contract with the powers, privileges and immunities, together with such parts of the road as may have been constructed, with all its machinery and appurtenances, to be forfeited to the State, reserving however, to the Company the right to prosecute and defend all suits and rights or liabilities which may have accrued or been incurred prior to said forfeiture. Said act authorizes the road to be constructed through the lands of individuals or corporations, and provides the mode of making compensation for the same, not exceeding 300 feet in width.

And whereas, the said act makes it the duty of the Governor to invite proposals from companies or individuals, for the construction of said road, to be filed in the Office of the Secretary of State at such time as he may direct, not later than the first of August 1854, and also makes it

his duty to select from the proposals, that one which, in his judgement, under all the circumstances of the case, shall offer the strongest assurances and guarantees that the road will be promptly and satisfactorily built according to the provisions of said act, all of which will appear by reference to said act, copies of which may be seen at the offices where this advertisement is published.

Now, therefore, in obedience to the provisions of said act, notice is hereby given, that proposals for the construction of said road in accordance with the provisions of said act, and the laws of this State, will be received at the office of the Secretary of State until the first day of May 1854. Said proposals must specify the time at which the work shall commence, the number of miles to be finished and placed in running order within the first eighteen months after the contract is entered into, and each year thereafter, and at what time the entire road shall be completed, together with the amount proposed to be deposited in the Treasury of this State according to the terms of said act, to be forfeited in case 20 miles of the road shall not be completed within eighteen months from the time of entering into the contract. Said proposals must be sealed and directed to the Secretary of State, Austin, Texas, and indorsed, "Proposals for the construction of the Mississippi and Pacific Railroad." — A selection from said proposals will be made as early as practicable after the first of May 1854, and the company or individuals whose proposals may be selected, will be required to enter into a contract in accordance with the provisions of said act, and the laws of this State previous to the first of June 1854.

In testimony whereof, I have hereunto set my hand, and caused the Great Seal of the State to be affixed, at Austin, this 18th day of January A.D. 1854.

(L. S.)

E M Pease

By the Governor
Edward Clark
Secretary of State.

One hundred copies of the State Gazette containing the above advertisement were ordered by direction of the Governor, and said office was requested to print and circulate one hundred

copies of the Law; "to provide for the construction of the Mississippi and Pacific Railroad", for the sum of ten dollars, and to publish said advertisement for six weeks.

Edward Clark
Secretary of State.

Note.
For papers authorized to publish
See page 40 ∀

Note.
See Official Register. Commissioners of Deeds.

Executive Office
Austin 19th January 1854

Edward Clark Esqr
Dear Sir,

I wish commissions made out for the following persons as commissioners to take the acknowledgement of Deeds &c

William C. Starkey for the State of Illinois, residence Waterloo Monroe County.

Robert Burns for the State of Louisiana, residence Logansport Desoto Parish.

Hugh W. Lemar for the State of Pennsylvania, residence Philadelphia.

Samuel S. Hall for the State South Carolina, residence Charleston.

Clayton S. Clarke for the State of South Carolina, residence Limestone Springs Spartanburgh District South Carolina.

E M Pease

Commissions for the persons above named were made out and forwarded according to directions on the 19th day of January A.D. 1854.

Edward Clark
Secretary of State.

Executive Office
Austin T. T. January 1854.

Gentlemen of the Senate:
and of the House of Representatives.

I have examined "An act relinquishing to the counties the State tax for the years 1854 and 1855," and find that there are provisions in it to which I cannot give my assent.

The first section provides, "That nine-tenths of the State tax hereafter to be collected, under existing laws, on the assessment to be made for the years 1854 and 1855, are hereby relinquished to the respective counties where said tax is assessed to be disbursed for the benefit of said counties &c." If this relinquishment had been made to the counties in which the property is situated, upon which the taxes are assessed, I should have no objection to the bill, and would have approved it.

You are aware that under our assessment law, each individual has the privilege of assessing all of his property in the state, in the county where he resides, although portions of it may be situated in every other county of the State, and this is the usual mode in which the property of residents in the State is assessed, consequently the effect of this law will be, that the taxes collected upon property situated in one county, will, in many instances, be expended in and for the benefit of another county.

I understand the object of this law is, to enable the counties to pay their debts, erect Court Houses and jails and make such other improvements as will tend to the convenience of the people. all of these objects are proper charges upon the persons and property of the citizens of the county in which they are to be effected and I do not consider it just to tax property situated in one county to be expended for these objects in another county.

This provision is particularly unjust to the citizens of the frontier counties of the state, where most of the land is owned by non-residents of the county. Court Houses and Jails have to be erected and other improvements made, all of which tend to enhance the value of all the real estate in the county, that of non-residents as well as residents, while the expense of making these improvements falls upon the property

of residents of the county, except so far as the county tax contributes towards making them, which in most of the counties is insufficient to pay the ordinary county expenses.

I am aware that the 8th section of this law, provides that the taxes of non-residents which are paid to the comptroller shall be paid over to those counties where the property is situated, upon which such taxes are paid, but it will be found, on examination, that only a very small portion of the taxes of non-residents are paid to the comptroller and that much the largest portion are paid to the assessors and collectors of the counties than those in which the property is situated.

These considerations have induced me to withhold my approval from the bill in question and I therefore return it to you in accordance with the requirements of the Constitution.

E M Pease

Executive Office
State of Texas
Austin 23rd January 1852.

Gentlemen of the Senate
and of the House of Representatives.

In the first communication that I made to the legislature, I suggested the importance of running and marking the boundary between Texas and the territories of the United States, since that time I have received reliable information that a collision has taken place between about one hundred citizens of New Mexico on one side, and the Sheriff of El Paso County with a posse composed of citizens of said County on the other side, in which the former fired upon the Sheriff and his posse, who returned their fire with a twelve pound howitzer.

It seems that this affair grew out of an attempt on the part of certain citizens of New Mexico to take salt from a salt lake to the north of El

Passo and claimed to be within the limits of this State, which is in the possession of one of our citizens under a grant from the State.

I have not learned whether any lives were lost, but we may reasonably expect other, and perhaps, fatal collisions to grow out of this affair.

The remote and exposed situation of the citizens of El Passo county will render it impossible for them to receive any aid from their fellow-citizens in other sections of the State, in time to prevent an invasion of their rights should further difficulties of the kind occur. It is important therefore that we should immediately adopt measures to remove all cause for such difficulties between them and their neighbors of New Mexico, and I know of no means by which this can be done so effectually as by causing the boundary between them to be run and marked as early as practicable.

I am assured by one of our Senators in Congress, that he anticipates no difficulty in obtaining the passage of a law by the Congress of the United States to join in the work. I trust therefore that you will concur with me in the pressing necessity that exists for immediate action on this subject, and that it will receive your attention before the close of the session

I transmit herewith a communication from the Hon. J. F. Crosby, Representative from El Passo County, giving a more detailed account of the affair herein referred to.

E. M. Pease

The State of Texas

Executive Department

25 January A.D. 1854

Whereas, representations have been made to this Department by sundry persons that John V. Singer, Wreck-Master for the Port of Brazos Santiago in the county of Cameron, does not possess the confidence of the commercial community as Wreck-Master — That he is incompetent to discharge the duties of said trust, and that he has removed some thirty miles from said Port of Brazos Santiago and that the public interest will be subserved by his summary removal from office —

Now, therefore, I, E. M. Pease, Governor of the State of Texas, by virtue of the authority vested on me by the Constitution and Laws of the State, and by these presents, do hereby remove the said John V. Singer, from the office of Wreck-Master for the Port of Brazos Santiago, now held by him.

In testimony whereof I have hereunto set my hand, and caused the Great Seal of the State to be affixed. Done at the City of Austin this the 25th day of January A.D. 1854, and of the Independence of the United States the 78th and of Texas the 18th year.

E. M. Pease

By the Governor

Edward Clark

Secretary of State.

Executive Office
Austin 25th January 1854.

Mr Clark

Note on official Reg ister, "Commissioners of Deeds."

Will please have an appointment and commission made out for Louis N. Glover as Commissioner to take the acknowledgement of Deeds in the State of New York - his residence is New York city.

You will also please have another commission made out for Miller A Peters as Comr. in the State of Louisiana - residence New Orleans.

C W Pease

Commissions for Mess Glover and Peters were made out and forwarded according to the above directions.

Edward Clark
Secretary of State.

Executive Office
Austin 25th January 1854.

Mr Clark

Will have the advertisement in relation to the Miss and Pacific railroad published in the New Orleans Delta, Charleston Mercury, Washington Union, Boston Statesman, New York Journal of Commerce and The Pennsylvanian.

Have it published in this weekly issue for six weeks, provided the expense does not exceed sixty six dollars and fifty cents for each paper.

C W Pease

The advertisement mentioned in the above communication sent to the papers named with the restriction as to price specified, together with a copy of the law.

Edward Clark
Secretary of State.

Executive Office
State of Texas,
Austin 26th January 1854.

Gentlemen of the Senate
And of the House of Representatives.

I beg leave to call your attention to the fact that the law of the 19th December 1849, providing the mode by which the United States may purchase and acquire jurisdiction over such lands as they may wish to occupy as sites for light houses, forts, garrisons &c. fails to make any provision by which the United States may purchase and acquire jurisdiction over such lands, in cases where they are owned by the State of Texas. My attention has been called to this matter by a communication from the Secretary of the Light House board of the United States which is herewith transmitted for your information.

If when the sites are selected for the light houses that have been authorized to be erected at Aransas Pass and at the mouth of the Sabine River, it should be found that said sites are on public land of the State, there is no mode provided by our laws by which the United States can acquire the property and jurisdiction of the same, consequently the appropriation which has been made for these light houses will revert to the United States Treasury. I trust therefore that you will perceive the necessity for remedying this defect in said law at the present session.

E. M. Pease

Executive Office
Austin 28th. Jany 1854.

Mr Clark

Will please have a commission made out for N William Butled as commissioner of Deeds &c. for the state of New York and enclose the same to. W. P. Ballinger Esqr of Galveston.

And another commission made out for Rice. W. Payne as Commissioner of Deeds &c for the State of Virginia - residence Warrenton Fanquier County.

E M Pease

Note. See Official Register "Commissioners of Deeds &c."

Commissions for the persons above named were made out and forwarded according to direction on the 28 Jany 1854.

Edward Clark
Secretary of State.

Executive Office
State of Texas
Austin 31st January 1854.

To the Hon
The Senate of the State of Texas.

I have made the following appointments of Notaries Public to which I respectfully ask your advice and Consent, viz:

For Anderson County — Kindred Watkins.
For Austin County — I Harris Catlin in place of Abraham Lee whose term has expired, R. M. Hannay reappointed his term having Expired. —
For Bastrop County — W. S. C. Jones, in place of J. A. Reed whose nomination was rejected by Senate
For Brazos County — Hiram M. Burrows, James M. Price, J. P. Reed — original appointments.
For Bexar County — I Wilson Cook reappointed his term having expired.
For Caldwell County — Jonathan Nix, Robert B. Porter — original appointments.

For Cameron County — Samuel Bangs in place of Benjamin Moses whose term has expired.
Theophile Delmas in place of Parker who has vacated his office by taking an office under the U. S. Government.

For Cherokee County — A. G. Shanks reappointed his term having expired.

For Colorado County — George M. Smith reappointed his term having expired.

For Cooke County — John Strickland, D. C. McCall and R. K. Burton, original appointments.

For De Witt County — Williams Adams in place of William Pierpoint resigned.

For Denton County — William McVeal an original appointment.

For Ellis County — David P. Harris reappointed his term having expired.
Amzi Bradshaw an original appointment.

For Fayette County — William J. Webb reappointed his term having expired.

For Freestone County — James Campbell, Benjamin Hill and D. J. Mills, original appointments.

For Gillespie County — Frederick Wrede an original appointment.

For Gonzales County — W. H. Jones reappointed his term having expired.
Russell Jones an original appointment.

For Grayson County — A. J. Hendricks, in place of Franklin Richards who failed to qualify.
Coleman Watson, in place of Morison Rulom who failed to qualify.

For Henderson County — Charles R. Saunders reappointed his term having expired.
Felix Parks, J. B. Greenwood and Ichabod Adams original appointments

For Hill County — Hugh McMullen, N. L. Dyer and Thomas Reel, original appointments.

For Hopkins County — Owen S. Davis, in place of R. C. Graves whose term has expired.

For Hunt County — W. L. Davis an original appointment.

For Jackson County — Nicholas McNutt an original appointment.
John Anderson in place of James Kerr deceased.

For Kaufman County — Cary Cobb, William Gibbard, James E. Morris and S. P. Cobb original appointments.

For La Vaca County — Wiley J. Rogers, Maryland Jones and Thomas A. Lester original appointments

For Leon County — John C. Thomas.

For McLennan County — A. J. Evans an original appointment.

For Madison County — J. W. Hackett, James S. Hanly, Hugh McGuffin & John Rogers, original appointments.

For Milam County — Charles W. Lemen.

For Montgomery County — Jonathan S. Collard reappointed his term having expired.

For Nacogdoches County — Samuel A. Lynell in place of — Davenport resigned.

For Navarro County — D. B. Hatgell and James Thomas Lee

For Panola County — Simon Houde, in place of William Taylor who failed to qualify.
S. H. Malloy in place of William R. Elliott who failed to qualify.
G. T. Tannary in place of Stephen Allred who failed to qualify.

For Polk County — Sam. T. Patterson reappointed his term having expired.

For Rusk County — Slade Barrett and William Chain.

For San Augustine County — James P. Johnson reappointed his term having expired.

For Shelby County — J. M. Short reappointed his term having expired.
Richard Cartwright an original appointment.

For Titus County — John G. Chambers reappointed his term having expired.

For Tarrant County — A. F. Leonard and A. M. Keen original appointments

For Upshur County — C. C. Galloway reappointed his term having expired.
Walter H. Payne reappointed his term having expired.

For Van Zandt County — J. S. Austin and James M. Harrison, original appointments.

For Walker County — Frederick Mersfielder in place of J. Peper resigned.
J. A. Smith in place of J. Lancy deceased
Thomas Cauthins an original appointment.

For Williamson County — Andrew Gordon an original appointment.

For Wood County — William Rice, Harman Husbands, William R. Courtney & William Wilbern original appointments

E M Pease

Executive Office
State of Texas
Austin Jan. January 1884.

Gentlemen of the Senate
and of the House of Representatives.

I return herewith to the House of Representatives, in which it originated, "an act to incorporate Tyler University."

My objections to this act are based upon the 9th section thereof which is in these words.

"Section 9th. All the lands, public buildings, and other property belonging to said University are hereby declared free from any kind of State, County or Corporation Tax."

Without discussing the policy of exempting all the property of such institutions from taxation, I am clearly of the opinion that whatever amount of this property is exempted from taxation, should be exempted by a general law, that should apply to all institutions in the State of a similar character.

The 27th Section of the 7th article of our Constitution declares that, "taxation shall be equal and uniform throughout the State. All property in this State shall be taxed in proportion to its value, to be ascertained as directed by law, except such property as two-thirds of both Houses of the Legislature may think proper to exempt from taxation." I think a reasonable construction of this Section requires that when any property is exempted from taxation it should be done by a general law applying to all property similarly situated in the State. Such seems to have been the opinion of the early Legislatures, for the second Legislature passed two general laws on this subject, the first exempted from taxation, all buildings with their furniture and library

designed and used solely for purposes of education or public worship, together with the land owned by said institutions of learning or churches, upon which the same may be situated, not exceeding ten acres, the second shall a similar exemption in favor of all charitable and literary associations.

Upon referring to our statutes it will be found that previous to annexation fourteen colleges and literary institutions were incorporated, seven of them with a provision similar to the one objected to in this act, five of them with a provision exempting their property from taxation for ten years, and two without any exemption. The section of our State Constitution before referred to, abrogated all these exemptions and subjected all the property of such institutions to taxation, and thus the law remained until the passage of the general law on the subject by the Second Legislature. Since that time and previous to the present session, thirty four colleges and literary institutions have been incorporated. Thirty of them have no provision exempting any of their property from taxation, one exempts the same property that is exempted by the general laws, and three have a provision similar to the one contained in this act. Three institutions of the kind have been incorporated at the present session, neither of which contain any such provision. It appears that while we have in the State, fifty one chartered colleges and literary institutions, forty eight of them are subject to our general laws, which exempt from taxation only their buildings, furniture, library and the land on which their buildings are situated, not exceeding ten acres, and only three of them viz; The Galveston College, The Gonzales College and The Texanna Academy are incorporated with provisions similar to the one objected to in this act, these three, I have no doubt, were passed inadvertently and without this provision being noticed.

Were there no other objection to this provision but the fact that it grants a privilege which is denied to forty eight other institutions of a similar character in the State, it would be sufficient to induce me to withhold my approval

from it. But I think it will probably be held by the Courts that this provision conflicts with that section of our Constitution, which directs that no law shall embrace but one object and that shall be expressed in its title. The title of this law is, "an act to incorporate Tyler University" This provision exempting its property from taxation, seeks to attain an object which is not expressed in the title and which is entirely foreign to the object that is expressed in the title. No one will contend for a moment that this provision is necessary for the incorporation of the University or for its establishment or government.

E M Pease

1854.
February.

Executive Office.
Austin 1st Feby 1854.

Mr Clark

Will please forward certified copies of "Joint Resolution instructing our Senators and requesting our Representatives in Congress in regard to the passage of a law changing the Port of entry of Brazos de Santiago collectoral District from Point Isabel to Brownsville," to each of our Senators and Representatives in Congress.

E M Pease

Copies of the Joint Resolution
above mentioned were forwarded
to our delegation in Congress as required Feby 1st 1854.

Edward Clark
Secretary of State.

Executive Office
State of Texas
Austin February 2nd AD 1854.

I, E. M. Pease, Governor of the State of Texas, one of the United States of America, by virtue of the authority in me vested by the constitution and laws, hereby certify, make known and declare, to all to whom

these presents come, that Rudolph Wipprecht is a resident citizen of the State of Texas and of the United States of America, and that he is entitled to all the rights, privileges and immunities to such citizenship belonging or in any wise appertaining. The said Rudolph Wipprecht is about twenty eight years of age, about six feet high, has a full forehead, blue eyes, sharp nose, small mouth, round chin, brown hair, oval face, and bilious sanguine complexion.

The said Rudolph Wipprecht being desirous of travelling in the Republic of Mexico, I, the said Governor of Texas, do most respectfully and earnestly request the President, Governors and other magistrates of said Republic, and citizens generally, to permit the said Rudolph Wipprecht to pass into and through any state of the said Republic of Mexico, and to give him in his life, person and property the protection of its laws.

In testimony whereof I have hereunto set my hand and caused the Great Seal of the State to be affixed, at the city of Austin, this the second day of February A.D. 1854, and of the Independence of the United States the seventy eighth and of Texas the Eighteenth year.

E. S.

By the Governor
Edward Clark
Secretary of State.

Eli Pease

Executive Office
Austin 3rd February 1854.

Messrs Parker & Fly
Gent.

When the petition for the remission of the judgement against James Nations and Edward Bellinger was first presented to me, I was very much disposed to grant the prayer as it was signed by so large a number of respectable citizens of Gonzales County, and I believe I so expressed myself to one of you, but since that time so large a number

of similar petitions from other counties have been presented that I was induced to give the subject a more thorough examination than I was able to give it when first presented, and I have come to the conclusion that the power of remitting such judgements ought not to be exercised, except when the parties had a defence which they were unable to present to the Court or when the enforcement of the judgement would subject the family of the defendants to distrip and want, or when the prisoner for whose appearance the parties have become security has subsequently been brought to trial. These causes I think would justify the Executive in interfering and probably there may be others which do not now occur to me. In this case, aside from the number and respectability of the petitioners, there seems to be no circumstances presented that could not be urged in favor of any petition that has thus far been brought to my notice. If I am to consult only my own feelings and sympathies, I should find it difficult to refuse any application of this kind, but my position requires me to act in these matters without reference to them.

With respect your obedient servant,
E M Pease

Executive Office
Austin 8th Feby 1854.

Mr Clark

Note. Will please make out an appointment and commission for A. C. Crawford as agent for the State under the "Act to regulate Mustang Chase;" Mr Crawfords brother is a member of the House of Representatives from Bexar County and he will take the appointment over to him.

Be off Register.

E M Pease

The appointment and Commission was made out as above directed on the 8th day of February 1854 and handed to Mr Crawford of the House from Bexar County

Edward Clark
Secretary of State.

Executive Office
Austin 8th. Feby 1854

Mr Clark

Will please make out and forward to each of our delegation in Congress copies of "Joint Resolution instructing our Senators and requesting our Representatives to present the claim of C. P. Coyle and A A Lawrence for $9975.50, as damages for goods and property destroyed by certain United States troops on the night of the first day of July A.D. 1850. and requesting the Governor to forward copies of said Resolution to our delegation in Congress."

E M Pease

Copies of the above mentioned
Joint Resolution were forwarded to
each of our Senators and Representatives
on the 8 th day of Feby 1854 as required
Edward Clark
Secretary of State.

Proclamation

By the Governor of the State of Texas

Whereas, by an act passed at the present session of the Legislature and approved on the 7 th. day of February A.D. 1854, entitled, "an act to create the fourteenth Judicial District of the State of Texas, and to fix the time of holding the Courts therein", (Said District to be composed of the Counties of Nueces, San Patricio, Refugio, Goliad and Karnes,) it is made the duty of the Governor, immediately after the passage of said act, to issue his proclamation ordering an election to be held in the several counties composing the said Fourteenth Judicial District, on the third Monday in March, 1854, for the election of a District Judge and a District Attorney for said Judicial District.

Now, therefore, be it known, that I, E. M. Pease, Governor of the State of Texas, do, in obedience to the requirements of the above recited law, hereby order and direct that the Chief Justices, (and in case of vacancy

in the office of Chief Justice, or inability of that officer to act, then any two of the County Commissioners, of the several counties composing the said Fourteenth Judicial District, give due notice and cause polls to be opened at the several precincts of their respective counties, on Monday the twentieth day of March, A.D., 1884, for the election of a District Judge and a District Attorney for said Judicial District.

And the Chief Justice, (or in case of vacancy of said office of Chief Justice, or inability of that officer to act, then any two of the County Commissioners, of the several counties aforesaid, will promptly make duplicate returns of the election held in their respective counties for the election of a District Judge and District Attorney as aforesaid, (so that the same reach the seat of Government by or before the thirtieth day after said election,) carefully sealed up, one of which returns will be transmitted by them to the seat of Government, directed to the Secretary of State, and indorsed, "Election returns of _____ County for Judge of the Fourteenth Judicial District," and "Election returns of _____ County for District Attorney of the Fourteenth Judicial District," and the other deposited in the office of the _____ Clerk of the County Court of their respective counties.

In testimony whereof I have hereunto set my hand and caused the Great Seal of the State to be affixed. Done at the City of Austin, this the 8th day of February A.D. 1884.

(L.S.)

Ed. Ross

By the Governor
Ed. Clark
Secretary of State.

Executive Office
Austin Feby 9th. 1852.

To the Hon. the Senate

I have appointed the following named persons as commissioners of Pilots for the Port of Brazos Santiago to which appointments I respectfully ask your advice and consent viz:

S Colombe Davis — James Conner
Peter Champion — Richard Gordon
M Kennedy

I have also appointed J. Fisher a Notary Public for the County of Guadalupe.

Siloem M. Austin a Notary Public for the County of Walker

N. C. Raymond a Notary Public for the County of Travis.

Eli Price

Executive Office
Austin February 9. 1852

To the Hon
The Senate of the State of Texas.

I have appointed John O Meusebach Commissioner under the "Act to secure to the German Emigration Company and their Colonists the lands to which they are entitled, and to adjust the liabilities of said Company," approved 21st January 1850, and the act supplemental thereto passed at the present session, to which appointment I respectfully ask your advice and consent.

Eli Price

Executive Office
Austin February 9. 1854.

To the Hon
The Senate of the State of Texas.

I have made the following appointments to which I respectfully ask your advice and consent.

James Gillespie Superintendent of the State Penitentiary, reappointed from the Expiration of his term on the 11th February 1854.

Samuel C. Lyons, Pilot at the mouth of the Brazos River, reappointed his term having Expired.

Notaries Public.

Anderson County — N. J. Cantly in place of James B Perry whose term has expired.

Austin County — Ernest Kleberg reappointed his term having expired.

Fayette County William Lewis in place of James R. Hayne whose term has expired.

Karnes County Charles A Russell an original appointment.

Ell Rose

Executive Office
Austin February 11. th. 1854.

Mr Clark

See offl. Register.

Will please have an appointment and commission made out for George W. Pomroy as Branch Pilot for the Bar of Brazos Santiago.

Ell Rose

A commission was made out for Mr Pomroy as required above on the 11th day of February 1854 & forwarded to the Board of Commissioners of Pilots at Brazos Santiago.

Edward Clark
Secretary of State

Executive Office
Austin February 11. 1854

To the Hon
The Senate of the State of Texas.

I have made the following appointments of Notaries Public for Starr County to which I respectfully ask your consent and advice, viz:

Richard. W. Davis, in place of Jacob Welsh who has left the State.

Perry Doddridge, in place of William Newton, who has left the County.

John Hale, in place of W. Cake who has left the County.

Joseph Ferguson, in place of Thomas W Harris who has left the County.

E M Pease

Executive Office
Austin February 11. 1854.

To the Hon
The Senate of the State of Texas.

I have made the following appointments to which I respectfully ask your advice and consent, viz;

James Ashworth Notary Public for Calhoun County in place of James T. Lytle resigned.

John R. Tally and William A. Jones for Refugio County, both original appointments.

Trowbridge Ward of Bexar County to be the Commissioner under "an act to perfect the land titles in Castro's Colony" Approved 22nd January 1850, and the act supplemental thereto passed at the present session.

Charles S. Taylor of Nacogdoches County, and William C. Young of Grayson County to be the Commissioners under "An act to provide for the investigation of land titles in certain Counties therein mentioned," passed at the present session.

John W. Harris of Matagorda County, O.C. Hartley of Galveston County and James Willie of Washington County to be the Commissioners under "an act to have the laws civil and criminal, supplied, revised, digested and arranged."

E M Pease.

Executive Office
Austin February 11. 1854.

Mr Clark

Will please have copies of Joint Resolution passed at the present session of the Legislature, requiring our Senators and Representatives in Congress, "to inquire into the reasons why the Post Office Department has not supplied the Mail route established by law, from the mouth of Red River, intersecting the great western and other lines at Huntsville, with tri-weekly mail service by stage coaches, and that they use their best efforts to have said route supplied with such service, at as early a day as practicable," made out and forward to each Member of delegation in Congress.

E M Pease

Copies of the Joint Resolution
above mentioned, were made out
and forwarded as required.

Edward Clark
Secretary of State.

Executive Office
Austin February 15. 1854.

Mr Clark

Note. See offl. Regtr. "Com. ons. of Quaro."

Will please have an appointment and commission made out for Nathaniel S. Rye as Commissioner for this State to take the acknowledgement of deeds &c. in the State of Mississippi. his residence is at Yazoo City. Enclose the commission to R. C. Campbell Esqr Hodges Bend P.O. Fort Bend County Texas.

See offl. Regtr. "Newton County"

We will also have an appointment made out for Nathaniel P West of Newton County as a Notary Public, in place of Mathew H Burke removed from the County.

E M Pease

The above appointments and commissions were made out as directed. The one for N S Rye on the 15 of Feby forwarded as directed, & the one for N P West on the 16 sent to Chf Justice Newton County.

Edward Clark
Secretary of State.

Executive Office
Austin February 17. 1854.

Mr Clark

Will send the advertizement for proposals for the Mississippi and Pacific Railroad to the Northern Standard at Clarksville, Nacogdoches Chronicle and Galveston News, to be published for six weeks at a sum not exceeding the amount limited for the papers to which it was sent in other states.

E M Pease

The advertizement was sent on the 17th Feby. to the papers designated with the restriction as to cost.

Edward Clark
Secretary of State.

Executive Office
Austin February 20th 1854

Mr Clark.

Will please have an appointment and commission made for David Currier as commissioner for this State to take the acknowledgement of Deeds &c in the State of New Hampshire. His residence is Derry Rockingham County New Hampshire. Send the comm &c by mail.

See Offl. Register: "Comm. of Deeds &c."

Also an appointment for Francis L Parzizce as Notary Public for Robertson County, who is reappointed his term having expired. His residence is Wheelock Robertson County.

See offl. Reg. "Robtson County."

E M Pease

The appointments and commissions to the persons mentioned above were made out and forwarded as directed on the 20th February 1854.

Edward Clark
Secretary of State.

Executive Office
Austin February 22. 1854.

Thomas J. Jennings Esqr
Attorney General

Sir

You will oblige me by examining the enclosed copy of indictment and requisition from the Governor of Louisiana, and giving me your opinion whether they are in proper form and present such a case as will authorize me to issue a warrant for the arrest and delivery of the person charged in said indictment. If convenient, I would like to receive your opinion this morning as the agent named in the requisition is waiting for my action.

Respectfully
Your obt Servt
E M Pease

The State of Texas.

To all and singular the Sheriffs, Constables, and and other Civil Officers of said State - Greeting.

Whereas it has been represented and made known to me by P. C. Gilbert, the Governor of the State of Louisiana, That Samuel White late of said State of Louisiana stands charged by Indictment found in the District Court of the Sixteenth Judicial District of said State, in and for the Parish of Nachitoches in said State of Louisiana, with the crime of Robbery, and that the said Samuel White has fled from justice in said State and has taken refuge in the State of Texas.

And whereas the said Governor of the State of Louisiana, in pursuance of the Constitution and laws of the United States, has demanded of me that I cause the said Samuel White to be arrested and delivered to S. H. Howard the duly authorized agent appointed by said Governor of the State of Louisiana to receive to receive said White into custody and convey him to the State of Louisiana. And whereas the said representation and demand are accompanied by a copy of said Indictment, duly certified as authentic by the said Governor of the said State of Louisiana -

Now Therefore, I, E. M. Pease, Governor of the State of Texas, do by virtue of the authority vested in me by the Constitution and laws of this State and of the United States, issue this my warrant, commanding all Sheriffs, Constables and other civil officers of this State to arrest, and to aid and assist in arresting, the said Samuel White, and to deliver him, when arrested, to the said S. H. Howard, agent of said State of Louisiana, in order that he may be taken back to said State of Louisiana, to be dealt with for said crime of Robbery according to law.

In testimony whereof I have hereunto set my hand and caused the Great Seal of the State of Texas to be affixed. Done at the City of Austin, this the 22nd day of February A.D. 1874, and in the year of the Independence of the United States the Seventy Eighth and of Texas the Eighteenth.

L. S.

E. M. Pease

By the Governor
Edward Clark
Secretary of State.

Executive Office
Austin February 22. 1854.

Mr Clark

Will please have the following appointments made out and forwarded viz;

'e offl. J. J. Shibanet, Notary Public for El Paso County in place of A. C. Hyde, who has been chosen Assessor and Collector.
Egistu
El Paso
County.

Samuel Magoffin Notary Public for El Paso County in place of Alexander Berthwed, who has been chosen County Commissioner
Same.

E. H. Pease.

The appointments above directed were made out and forwarded as ordered on the 22 February 1854.

Edward Clark
Secretary of State.

Executive Office
Austin February 23rd 1854.

Mr Clark

Will please have copies of, "Joint Resolution for the relief of the Contractor on Route No 6287," passed at the present Session of the Legislature, made out and forwarded to each of our Senators and Representatives in Congress.

E. H. Pease

Copies of said Joint Resolution were made out and forwarded to our Delegation in Congress as directed on the 23rd February A.D. 1854.

Edward Clark
Secretary of State.

The State of Texas.

To all and singular the Sheriffs, Constables and other Civil Officers of said State - Greeting -

Whereas it has been represented and made known to me by P.C. Hébert the Governor of the State of Louisiana, that Samuel White late of said State of Louisiana, stands charged by indictment found in the District Court of the Sixteenth Judicial District of said State in and for the Parish of Vaucheriaeus in said State, with the crime of robbery and that the said Samuel White has fled from Justice in said State and taken refuge in the State of Texas.

And whereas the said Governor of the State of Louisiana, in pursuance of the Constitution and laws of the United States, has demanded of me that I cause the said Samuel White to be arrested and delivered to S.H. Howard the duly authorized agent appointed by said Governor of the State of Louisiana to receive the said White into custody and convey him to the State of Louisiana - and whereas the said representation and demand are accompanied by a copy of indictment duly certified as authentic by said Governor of the State of Louisiana.

And whereas I, E. M. Pease, Governor of the State of Texas, did heretofore, to wit, on the twenty second day of February 1854, by virtue of the authority vested in me by the Constitution and laws of this State and of the United States, issue a warrant commanding the Sheriffs, Constables and other Civil Officers of this State, to arrest, and to aid and assist in arresting, the said Samuel White and to deliver him, when arrested, to the said S.H. Howard agent of said State of Louisiana, in order that he may be taken back to said State of Louisiana to be dealt with for said crime of robbery according to law.

And whereas it has been made known to me since the said warrant was issued, that there is an indictment for murder pending against said S.H. Howard in the County of Bell in this State, and that the said White has been recognized to appear as a witness against said Howard in the prosecution of said indictment, which state of facts makes said Howard an improper agent to receive said

White under the requisition of said Governor of Louisiana and convey him to said State.

Now therefore, I do hereby revoke and countermand the said warrant issued by me on the twenty second day of February 1854, and upon this my warrant in lieu thereof, commanding all sheriffs, constables and other civil officers of this State, to arrest, and to aid and assist in arresting, the said Samuel White and keeping him securely until notice of said arrest can be given to the said Governor of the State of Louisiana, and a suitable agent shall be sent by said Governor to receive said White and take him back to Louisiana, in order that he may be there dealt with for said crime of Robbery according to law.

In testimony whereof I have hereunto set my hand and caused the Great Seal of the State to be affixed. Done at the City of Austin, this the twenty fifth day of February A.D. 1854, and in the year of the American Independence of the United States the Seventy Eighth, and of Texas the Eighteenth.

E. L. S.

E. M. Pease

By the Governor
Edward Clark
Secretary of State.

Executive Office,
Austin Texas February 25th. 1854.

To His Excellency
P. O. Hébert Gov. of Louisiana

Sir,

A requisition was presented to this office a few days since from your Excellency for the arrest of Samuel White, on a charge for the crime of Robbery committed in the Parish of Natchitoches, and for his delivery to Mr S. H. Howard to be carried back to your State. a warrant was immediately issued for the arrest of said White, and he is now in custody and will be detained

until a suitable agent can be sent by your Excellency to receive him. The relation in which White and Howard, the agent heretofore appointed by you, stand toward each other, I think, makes Howard an improper agent to be entrusted with the charge of carrying him to your State. Howard has been indicted for murder in the County of Bell in this State, and White is under recognizance to appear as a witness against Howard in the prosecution of this indictment. You will readily admit that, under these circumstances, Howard ought not to be entrusted with his custody. I think therefore that you will, as early as convenient, appoint some other person as the agent to receive White from the officer who now has him in charge here, and take him back to your State.

Very respectfully,
Your obt Servt
Ed Rice

Since writing the above it has been suggested to me that in case White applies for a Habeas Corpus it may be decided by our Courts that your requisition is not in proper form. Our Supreme Court has heretofore released one prisoner arrested under a warrant issued by my predecessor, on the ground that the warrant was not explicit enough, and on the trial of that cause, an intimation is thrown out that the requisition was also insufficient.

I think therefore it will perhaps be better for you to issue a new requisition with the new appointment of the agent.

In making out the new requisition, it will be well to append a certificate to the copy of the indictment certifying that it is authentic, and then let the requisition state it is issued on the copy of the indictment which is certified to be authentic. A compliance with these suggestions will leave no excuse to any Judicial Officer of this State who may be disposed to be captious about such matters.

Respectfully
Your obt Servt.
Ed Rice

Executive Office
Austin February 25th 1854

Mr Clark

Will please have an appointment and commission made out for James S. Gibbs as commissioner for this State to take the acknowledgement of deeds &c in the State of New York his residence is Buffalo N.Y.

Enclose the commission to John D. McLeod Esqr San Antonio, Bexar County Texas.

E U Pease

Ex offl. Register. "Commr of Deeds".

The appointment for Mr Gibbs & commission were made out and forwarded on the 25th. Feby 1854 as directed

Edward Clark
Secretary of State.

1854. March

Executive Office
Austin March 1st 1854.

To the Board of Pilot Commissioners
Galveston Texas

Gent.

Representations have been made to me by Captains of vessels and Merchants in Galveston, showing that there is much dissatisfaction with the manner in which the business of piloting is now conducted at your port, and that there is frequently unnecessary delay in bringing in vessels. These representations have induced me to appoint another Branch Pilot for your port with the hope that a competition in the business will induce all engaged in it to be more prompt in attending to the public interest.

I have given an appointment and commission to Captain Luke A Sabret which he takes down with him. I have advised him that previous to entering on his duties, it will be necessary for him to give a bond in accordance with the law regulating Pilots, which he must submit to the approval of your Board. When such a bond is presented by him as meets with your approval you will please forward it to this office. Very Respectfully your ob't Servt

E U Pease

1854 March.

The State of Texas.

Whereas at the November Term 1852. of the District Court of Bastrop County in said State, a judgement was rendered in favor of the State of Texas, against C. K. Perry and John R. Slocomb for the sum of one hundred dollars besides costs, which judgement was subsequently taken to the Supreme Court by writ of error and there affirmed on the 21st. of November 1853; and whereas said judgment was rendered upon a bond executed by the said Perry and Slocomb as sureties for the appearance of one Asa W. Winn at the said Bastrop District Court to answer a charge for an assault and Battery, which said bond was forfeited.

And whereas satisfactory evidence has been produced to me that the said Winn departed this life previous to the time when said judgment was rendered in said Bastrop District Court, although his death was not then known to said Perry and Slocomb.

Now therefore, Be it known that I, E. M. Pease, Governor of the State of Texas, by virtue of the authority vested in me by the Constitution and laws of said State, do hereby remit the said forfiture and the judgement rendered thereon against the said Perry and Slocomb, excepting the costs taxed upon said original judgment and the affirmation thereof, and also the legal commissions of the District attorney and attorney General. And the Clerk of the District Court of Bastrop County is hereby directed to make such entries of said Court, under the direction of the Judge thereof as will give full effect to this remission, whenever the said Perry and Slocomb, or either of them, shall have paid to said clerk, for the use of the persons entitled thereto, all the costs laxed upon said judgment and the affirmance thereof, and the legal commissions of the District attorney and attorney General.

In testimony whereof I have hereunto signed my name and caused the Great Seal of the State to be affixed. Done at the City of Austin, this the second day of March A.D. 1854, and of the Independence of Texas the Nineteenth Year.

E. M. Pease

By the Governor
Edward Clark
Secretary of State.

Executive Office
Austin 7 March 1854.

Arthur Middleton Esqr
Dist Attorney
Dear Sir

Your letter of the 28th Feb. asking my opinion when your official term will expire, was received by the last mail.

I regret that the Attorney General is now absent from the seat of Government so that I cannot, without some delay, obtain his opinion on the question.

From the best examination I have been able to give the subject, I am clearly of opinion that each District attorney elected by the people is entitled to hold the office for two years, so that if your election took place on the 1st of August 1853, no election will be ordered for your district until the regular election in 1855, unlis a vacancy sooner occurs.

Yours with respect.
E M Pease.

Executive Office
Austin Texas, 10th March 1854.

Genl Wool
Governor of the State of Samaulipas.
Sir,

I have recently been informed that the archives of the jurisdiction of Goliad in this State, are now in Matamoros, subject to the control of your Excellency.

These archives were removed from Goliad, for safe keeping, when that place was abandoned during the war between Texas and Mexico. They contain the evidence of title to most of the lands granted by the State, in that jurisdiction, previous to our revolution, and are of great interest to many of the old citizens of Texas. Many suits are now pending in our Courts in relation to the titles of some of these lands, in which evidence may be found among these archives that will materially assist our Courts in forming correct judgments upon the rights of the parties.

My object in addressing you this communication, is to ascertain whether my information on this subject is correct, and to learn whether you are willing to deliver these archives to the authorities of this State, so that they can be properly arranged and deposited in those offices designated by law for the keeping of such records. Will your Excellency be kind enough to favor me with an early answer to this, and inform me in what manner these archives can be obtained, if they are subject to your control.

I have the honor to be
Very Respectfully
Your obt Servt.
E M Pease

Executive Office
Austin Texas 13th March, 1854.

Hon Jefferson Davis
Secretary of War
Sir,

I have the honor to enclose you a copy of, "An act relating to the Indians of Texas," that was passed by the Legislature of this State at its late Session.

This law was drawn and passed in accordance with the recommendations and suggestions of the United States Indian Agents for this State, and with the expectation that the General Government would avail itself of its provisions at an early day.

If this law meets the approbation of the Executive of the United States, I would respectfully suggest that he should cause to be selected, as early as possible, the twelve leagues of land, which by its provisions are authorized to be taken by the United States for Indian purposes, otherwise it may be impossible to obtain desirable locations, unless by purchase, as our public domain is being rapidly located by individuals.

Very Respectfully
Your obt Servt.
E M Pease

Executive Office
Austin Texas, 13th March 1854.

Hon W. L. Marcy
Secretary of State.

Sir,

I have the honor to enclose you a copy of a law, "To define the civil rights of Aliens", that was passed by the Legislature of this State at its late session, in consequence of the recommendation of the President, communicated in your letter to this office of the day of Oct. last.

Very Respectfully
Your Obt Servt,
Ed Pease

Executive Office,
Austin Texas 17th March 1854.

Mr S H Davis

Sir,

Your resignation of the office of Clerk of the District Court of Calhoun County was received at this office on yesterday, and is accepted. An election will be ordered in August next, as the law requires. In the mean time, it devolves upon the Judge of your District to make an appointment to fill the vacancy.

Yours with respect,
Ed Pease

Executive Office
Austin Texas, 24th March 1854.

Maj. Genl. Persifer F Smith

Sir,

I beg leave to call your attention to the situation of the Rio Grande frontier. It seems from the proceedings of a public meeting of the citizens of Webb County held on the 11 th. inst. of which I send

you a copy, that within the last two months, seven of this citizens have been murdered, and a large amount of property has been destroyed and stolen by the Indians, who have in every instance escaped with impunity. If this state of things is truly distressing and if allowed to continue must result in breaking up all the settlements on that river except in the Towns.

I have also learned from other sources entitled to credit, that thefts and murders have recently been committed by the Indians, at places below Webb County in the vicinity of the Rio Grande.

The large force of Infantry now stationed on that frontier does not appear to be any check upon the Indians. I therefore respectfully request, if you have under your command, any mounted men that can be spared from other service, that you will order a portion of them to Laredo and such other points on the Rio Grande as will enable them to give protection to the lives and property of the citizens of that section of the State.

I have the honor to be
Very Respectfully
Your obt Servt,
E M Pease

Executive Office
Austin Texas, 24th March 1854

Hon Jefferson Davis
Secretary of War
Sir,

I beg leave to call your attention to the robberies and murders that have lately been committed by the Indians on the frontier of this State. The enclosed copy of the proceedings of a public meeting held at the Town of Laredo on the Rio Grande on the 11th. Inst. shows that within the last two months seven citizens of that County have been murdered by the Indians and that a large amount of property has been

stolen and destroyed by them. These depredations have been committed in the immediate vicinity of Fort McIntosh which I learn is garrisoned by several companies of U.S. Infantry, and yet the perpetrators of them have, in every instance, escaped with impunity. This fact is not mentioned for the purpose of casting any reflection upon the character of the troops stationed at that point, but to show that Infantry are entirely inadequate to restrain the Indians and give protection to the frontier of this State. The Indians themselves know this and presume upon it, and they will never be kept in check, except by a force that has the means of promptly pursuing and chastizing them in every instance.

In addition to the depredations detailed by this meeting, a large number of horses have been recently stolen from the vicinity of Eagle Pass above Laredo. Several persons have also been killed and property stolen, on the road leading from the Nueces to Brownsville, and in the neighborhood of Fort Merrill. Indeed almost every mail from the Rio Grande brings news of some recent outrages committed by the Indians in that section of the State, and unless some means can be resorted to by the Government to put an end to them, the entire settlement on that River, except in the Towns will have to be abandoned.

Our citizens feel that they have a right to be protected in their lives and property, and that while experience daily proves that the discipline of troops now used by the Government on that frontier are insufficient to cope with the Indians, they ought not longer to be relied on, but that a force of mounted men should be substituted.

I respectfully urge this matter upon your consideration, and trust that some effectual measures may be taken to give protection to our citizens.

I have the honor to be
Very Respectfully
Your Obt Servt
E M Pease

Executive Office
Austin Texas, 24. March 1854

R. S. Neighbors Esqr
U. S. Indian Agent.

Dear Sir,

I take the liberty of sending you a copy of the proceedings of a public meeting of the Citizens of Webb County, held at Laredo on the 11th Inst. on the subject of the robberies and murders recently committed in that vicinity by the Indians, from which you will perceive that they ascribe these outrages to the Lipans, of which tribe I believe you are the agent. The evidence on which their opinion is based seems to be satisfactory, and irrestably leads to the conclusion, that some members of that tribe are connected with these depredations.

I respectfully request that you will endeavor to ascertain the truth of these charges, and also that you will take measures to restrain the excursions of this tribe from their present location.

Yours with respect.
E M Pease

Executive Office
Austin Texas, 24. March 1854

Edmund J Davis Esqr

Dear Sir,

I have the honor to acknowledge the receipt, by mail, on the 23rd Inst. of the proceedings of a public meeting of the citizens of Webb County, of which you was the chairman, held at the Town of Laredo on the 11th Inst. on the subject of the robberies and murders lately committed in that county by the Indians.

I deeply sympathize with your citizens in their distress, and am disposed to use all the means at my command for their relief. I immediately addressed a letter to the Secretary

of War at Washington City, enclosing a copy of the proceedings of your citizens and calling his attention to the Indian depredations therein detailed. I also urgently requested to have a force of mounted men stationed at such points on the Rio Grande as will enable them to give adequate protection to the lives and property of our citizens and allow them to prosecute their ordinary avocations in security.

I also wrote to Genl Smith requesting him, if there are any mounted men under his command, that can be spared from other service, to have a portion of them stationed in the vicinity of your town.

The inquiry the meeting asks to be made, respecting the guilt or innocence of the Lipans, properly belongs to the Judicial officers of the State, and this inquiry can only be instituted by them, upon information, under oath, charging the commission of the offence and the person supposed to have committed it.

I have no doubt that the Lipan Indians, as well as any other residents of the State, may be tried and punished by our Courts for robbery and murder, and if upon proper proceedings before our Judicial tribunals, warrants should be issued for the arrest of any of them, and the civil power should prove insufficient for that purpose, I would most cheerfully call out the militia to aid in their arrest.

I have also written to Maj. R. S. Neighbors, who I believe is the agent for the Lipans, advising him that these depredations have been charged upon that tribe and requesting him to endeavor to ascertain the truth of the charges, and to take measures to have their excursions from their present location restrained for the future.

Very Respectfully
Your obt Svt
E M Pease

Executive Department
Austin, Texas, March 25th. 1854.

To the Executive Authority of the
State of Kentucky.

Whereas, It appears by the annexed document, which is hereby certified to be authentic, that George P. Lynch, stands charged with the crime of murder committed in the State of Texas, and information having been received, that the said George P. Lynch has fled from justice and taken refuge in the State of Kentucky—

Therefore, I, E. M. Pease, Governor of the State of Texas, have thought proper, in pursuance of the provisions of the Constitution and laws of the United States, to demand the surrender of the said George P. Lynch as a fugitive from justice and that he be delivered to John P. Gerell who is hereby appointed the Agent on the part of the State to receive said Lynch.

Given under my hand and the Great Seal of the State affixed, at the City of Austin, this the 25th. day of March, A.D. One thousand eight hundred and Fifty four, and of the Independence of the United States, the Seventy Eighth, and of Texas the Nineteenth Year.

By the Governor,
Geo. W. Hoffman
Actg. Secretary of State.

E M Pease

1854
April.

Executive Office
Austin Texas 6 April 1854.

To the Secretary of the Light House Board

Sir,

I have the honor to enclose you a copy of a law that was passed by the Legislature of this State at its late Session, "Supplemental to an act for ceding to the United States Jurisdiction of certain lands in this State for public purposes, approved 19th December 1849."

You will perceive that this law supplies a defect, suggested by you, in the original law of 1849, and makes a provision by which the United States can acquire the title and jurisdiction in cases where they may select sites for Light houses re-upon the Public lands of this State.

Very Respectfully
Your obt Servt,
Ed Pease

Executive Office
Austin Texas, 13 April 1854.

Col Robt H. Lane

Dear Sir,

Upon the recommendation of many gentlemen in your section of the State, in whose judgement I confide, I have appointed you one of the commissioners under, "An act to provide for the investigation of land titles in certain Counties therein mentioned," approved 11th February 1854. Your associate will be Mr Charles S. Taylor of Nacogdoches County who has notified me of his acceptance.

The Salary of the office is fifteen hundred dollars a year, to commence on the 15th of April 1854 and end on the 1st of November 1855, payable quarterly.

You will oblige me by writing immediately on the receipt of this whether you accept the appointment. Should you do so, it would be well for you to address Mr Taylor at once, informing him what time you can meet him at this place, to start for the Counties

where your duties are to be performed as it may prevent some loss of time to him, in case he has not already left home for this place. I presume however that he will be here about the 15th of April, and it is therefore desirable that you should come here as early as practicable after your acceptance.

The commissioners are required, severally, to execute a bond in the sum of ten thousand dollars, with two good sureties, payable to the State of Texas, to be approved by either of the District Judges," conditioned to render a correct return of, and to pay into the Treasury all the monies received by them in accordance with the fifteenth section of said act," which is entitled, "An act to provide for the investigation of land titles in certain counties therein mentioned," approved 11th Feb 1852.

This bond it will be well for you to execute and have approved by the Judge of your District, before you leave home, as he will be better acquainted with the persons you may wish to offer as sureties than any other Judge in the State. The condition prescribed by the law, for the bond, is correctly stated above, to enable you to draw the bond properly.

I have the honor to be
Very Respectfully
Your obt Servt,
E M Pease

Executive Office
Austin Texas, 17. April 1852.

J S McDonald Esq.
Sent

Your letter of the 13th Inst containing proposals for translating into Spanish, such of the laws of the last Legislature as I wish to have published in that language, and also for printing, folding and stitching them, was received by last mail.

If I understand your

proposition correctly, you offer to translate, print, fold and stich 250 copies for $625.00 – 300 copies for $675.00, – 350 copies for $743.75/100, if the volume does not exceed 150 pages.

I send you by this mail a copy of the General and Special Laws, and with this a list of such chapters of each as I wish translated and printed. These chapters together with the index of them, do not make one hundred and fifty pages as printed here, but I am willing to allow you $743.75/100, for 350 copies, this amount to cover every expense but the freight of them from San Antonio to this place.

Please inform me by return mail whether you are willing to undertake the job on these terms, and if so, how soon you can have them done.

Yours with respect
Ed Pease

Executive Office
State of Texas.

Having become satisfied that the public interest will be subserved by an extension of the time for receiving proposals for the construction of the Mississippi and Pacific Railroad, under the provisions of the law passed by the Legislature of the State of Texas, and approved the 21st of Dec. 1853, notice is hereby given that the time for receiving said proposals is extended to the first day of August, 1854.

A selection will be made from the proposals offered as early as practicable after the first of August, and the company whose proposition may be selected will be required to enter into a contract in accordance with the provisions of said law, previous to the first day of September, 1854.

In testimony whereof I have hereunto set my hand and caused the Great Seal of the State to be affixed, at the City of Austin, this, the nineteenth (19.) day of April A.D. 1854.

L. S.

Ed Pease

Signed
By the Governor
Brian Hollands
Acting Secy of State.

Executive Office
State of Texas
Austin 19th April 1854.

I, E. M. Pease, Governor of said State, do hereby certify, that from an examination of the returns made according to law, to the Secretary of State, of the votes given for a Judge of the District Court of the fourteenth Judicial District of said State, at an election held, on the 20th day of March 1854, in the several Counties composing said District, it appears that James Webb, received the highest number of votes given for said office, and I hereby declare that said James Webb has been duly elected to said office.

In testimony whereof I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin this the 19th day of April A.D. 1854, and of the Independence of Texas the 18th Year.

L S

E M Pease

By the Governor
Peter Hansborough
Actg. Secretary of State.

Executive Office
State of Texas
Austin 19th April, 1854.

I, E. M. Pease, Governor of said State, do hereby certify that from an examination of the returns made according to law, to the Secretary of State, of the votes given for District Attorney of the Fourteenth Judicial District of said State, at an election held on the 20th day of March 1854, in the several Counties composing said District, it appears that John Y. Enoch received the highest number of votes given for said office, and I hereby declare that said John Y Enoch has been duly elected to said office.

In testimony whereof I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin, this the 19th day of April A.D. 1854, and of the Independence of Texas the 19th Year.

E M Pease

L S

By the Governor
Ben Holland
actg Secretary of State.

Department of State
Austin April 19th 1854.

On this the 19th day of April 1854, B. Bird Holland, Acting Secretary of State, in the presence of E. M. Pease Governor, Thomas J Jennings the Attorney General being absent from Austin attending the Supreme Court at Tyler, and unable to act, proceeded to open and count the returns made to this office, according to law, of an election held in the several Counties comprising the 14th Judicial District, on the 20th day of March 1854, for one Judge and one District Attorney for said District, when the following was found to be the result of said votes.

For District Judge, James Webb received 462 votes.
E. T. Smith " 149 "

For District Attorney
John T. Enoch " 381 "
John S. McCampbell " 163 "
C. A. Russell " 55 "

Ben Holland
Actg Secretary of State

E M Pease

Executive Office
Austin Texas 19th April 1854.

Messrs McDowell Mills & Co
New Orleans
Gent.

I send you enclosed a letter that I wish you to have Telegraphed to Genl Thomas J Rusk at Washington City – also a Proclamation that I wish you to have Telegraphed to, "The Boston Post," "New York Journal of Commerce", "Washington Union," "The Pennsylvanian," at Philadelphia, and, "The Charleston Mercury", with a request to have it published once in their daily issue, and three times in their weekly issue.

It is important that this should be done promptly, and you will greatly oblige me by giving it your attention. Please send me a bill of the expenses incurred, and charge the same to Messrs R & D.G. Mills, to whom I will pay the amount.

Very Respectfully
Your obt Servt
E M Pease

Executive Office
Austin Texas 20th April 1854.

Maj R.S. Neighbors,
Dear Sir,

I enclose for your information a statement, sent to this Office by G.B. Erath Esqr of Waco McLennan County, of some theft lately committed in Bosque County by the Tonks. He represents that there is much excitement in that neighborhood, and some apprehension of more serious difficulties with the Indians. I do not know whether the Tonks are under your agency, but I have thought it my duty to advise you of these proceedings promptly, trusting that you may be able to exercise some influence in preventing further depredations by this tribe.

Your favor of the 10th Inst. was received some days since, and in accordance with your suggestions I have written to the Secretary of War urging such changes in relation to the treatment of the Indians, and in the military service on the frontier as will give efficient protection to our citizens.

Very respectfully
Your obt Servt
E M Pease

Executive Office
Austin Texas, 24th April 1854.

To the Secretary
of the Light-House Board.

Sir.

In reply to your letter of the 7th Inst. I have the honor to inform you, that on the 6th Inst. I forwarded to your office a certified copy of a law passed at the late session of the Legislature of this State, which I presume you will have received before this.

This law authorizes the Governor to cede to the United States the sites that may be selected for light-houses, when they are situated on lands belonging to the State; and also provides for the cession of jurisdiction in the same manner as provided by our law of the 19th Decr 1849.

Very respectfully
Your obt Servt.
E M Pease

Executive Office
Austin Texas, 25th. April 1854.

J S McDonald Esq
Genl.

Your letter of the 19th. inst. containing your proposition to translate, print, fold and stich 350 copies of the laws of the last Legislature in the Spanish language, (of the Chapters enumerated by me,) for $743.75, and complete them within three months was received last evening. I understand this to include the index, and shall rely upon your executing the work as you propose.

I have sufficient confidence in your integrity, to believe that you will execute the contract as well without a bond and security as with, and as there is no law requiring me to take a bond, I shall not require one. Please inform me when the work is done, and I will direct you how to send it over.

Yours with respect
Ed Pease

Executive Office
Austin Texas, 26th April 1854.

Mr Ferdinand J. Lindenkimer
Sec'y Div.

When your proposition for printing the laws of the last Legislature in German was received at this office, it was not known how many pages there would be. I now find that those I wish printed in German, together with the index, do not make quite one hundred and fifty pages as printed in English at this place, and I suppose they will make about the same in German. I have concluded to invite proposals from your office and from the San Antonio office, and to give the job to the one that will do it on the most favorable terms.

You will therefore oblige me by letting me know at your earliest convenience, your price for printing, folding and stiching, including all materials to be furnished by you, 250 copies - 500 copies

350 copies, let your proposition be based upon 150 pages to each copy, or upon a volume that with the index does not exceed 150 pages as printed at this place in English. State also at what time you can have them ready for delivery.

Yours with respect.
E M Pease

Executive Office
Austin Texas 26th April 1854

To the Publisher of the Zeitung
San Antonio.

Dear Sir,

When the proposition was presented from your office for printing the laws of the last Legislature in German, it was not known how many pages there would be. I now find that those I will want printed in German, together with the index, do not make quite one hundred and fifty pages as printed in English at this place, and I suppose they will make about the same in German.

I have concluded to invite proposals from your office ~~and the office~~ and the office at New Braunfels, and give the job to the one that will do it on the most favorable terms.

You will therefore oblige me by letting me know, at your earliest convenience, your price for printing, folding and stitching, including all the materials to be furnished by you, 250 copies 300 copies 350 copies. Let your proposition be based upon 150 pages to each copy, or upon a volume that with the index does not exceed 150 pages as printed at this place in English. State also at what time you can have them ready for delivery.

Yours with respect.
E M Pease

Executive Office
Austin Texas 26th April 1854.

Col James Gillespie
Superintendent of the Penitentiary
Dear Sir,

A petition has been presented to me for the pardon of Casimero Aco, who was convicted of murder in the 2nd degree, for which he is now in confinement in the Penitentiary, and has been for about four years. It has been represented to me that the instigators and principal actors in the commission of the murder, for which Aco was convicted, escaped from custody and fled to Mexico, and that Aco was led into the affair through their influence, and acted in the transaction through fear and restraint. These representations come from a source that leaves me no reason to doubt their truth, and I feel disposed to grant him a pardon, provided his conduct has been good since his confinement.

You will oblige me by communicating as early as convenient, what you think of the Prisoners character, and what his general conduct has been since his commitment.

Yours with respect,
E M Pease

Executive Office
Austin Texas 28th April 1854.

Sir,

I have the honor to acknowledge the receipt, on yesterday, of your letter of the 26th inst. with the accompanying papers.

The subject of your communication is one of great interest, involving as it does, important constitutional question; I regret that the absence of the Attorney General from the Capitol, prevents me from availing myself of his counsel on this occasion, but I have given the matter such examination and reflection as the shortness of the time, and the few authorities at my Commo

and have permitted.

While I am disposed at all times to give full effect to the constitution and laws of the United States within the limits of this State, I think that, in the case of Dr Steiner, the jurisdiction of the State Courts was rightfully exercised in the first instance, although there was some irregularity in the manner of taking him from the custody of the military officer who arrested him, after the State Court had taken cognizance of the offence with which he was charged.

Unless the offence of Dr Steiner be one over which the authorities of the United States have exclusive jurisdiction, it is certainly cognizable in the Courts of this State, for the utmost that can be claimed for the authorities of the United States, in the absence of exclusive jurisdiction, is concurrent jurisdiction with the Courts of this State, and it is a well established rule of law, that when two Courts have concurrent jurisdiction over the same matter, the Court that first takes jurisdiction retains it. In this case I understand there is no doubt about the fact, that the first prosecution against Dr Steiner, was commenced by the State Court, and Lieut Anderson in his report states that, "the Deputy Sheriff had, or claimed to have custody of his person," at the time of his arrest by the Military.

The claim of exclusive jurisdiction in the United States, I do not think warranted by the facts of the case. Had the site on which Fort Graham is situated, been purchased by the United States government with the consent of the Legislature of this State, and jurisdiction over it had been ceded to the United States, I freely admit that Congress would have been vested with exclusive legislation, and the Courts of this State could have exercised no lawful authority over the offence of Dr Steiner. But I cannot assent to the proposition, that, because Fort Graham was occupied by United States troops, when the offence was committed, the authorities of the United States have exclusive jurisdiction over it; nor is such a position sustained by the decisions of the United States Courts.

The clause of the Constitution to which you refer, vests in Congress exclusive legislation over places occupied as Forts &c. only in cases where they have been purchased by the Consent

of the Legislature of the State in which they are situated; and the act of the Legislature of this State to which you refer, after authorizing the United States to make such purchases, only allows jurisdiction to be ceded by the Governor upon proper evidence that the purchase has been made.

This office is in possession of no evidence, that the United States has ever purchased the site on which Fort Graham is erected, and must therefore presume that offences committed there are subject to indictment and trial in our Courts in the same manner as those committed in any other section of the State.

Being fully satisfied that the opinions here expressed are supported by authority, and it appearing from the report of Lieut Anderson, that Dr Steiner is now in the custody of the Sheriff of the County in which the offence was committed, I do not think that I have any power to interfere to prevent his trial in the mode prescribed by the laws of this State.

The manner in which Dr Steiner was taken from the custody of Lieut Anderson was objectionable. It would have been ~~better~~ more regular, and much more respectful, if he had appeared before the Court Martial and pleaded to its jurisdiction, or applied to a Judge and obtained a writ of Habeas Corpus. Either course would have resulted in his return to the Courts of this State for trial, and prevented any collision between the civil and military authorities, an event at all times, much to be deplored.

I am Sir, Very respectfully
Your obt Servant,
E M Pease

Bvt Brig Gen Wm S Harney
Austin Texas.

1854.
May.

Executive Office
Austin Texas, 1st May 1854.

W. C. Henry Esqr
Chief Justice of Cherokee County.

Dear Sir,

Your letter of the 21st of March has been delayed somewhere on the way and only reached here by the last mail.

The case stated by you, seems to be a proper one for a reward to be offered by the State, but so long a period has elapsed since your letter was written that the criminal may have been arrested in the mean time. I have thought it best however, to prevent further delay, to send you a Proclamation offering a reward of one hundred and fifty dollars, to be used by you, in case he has not already been arrested, and you shall still think it will have any influence in procuring his arrest.

Please advise me whether you think it necessary to use it, and if you should, you are authorized to have it published in the Newspaper of your County for 3 or 4 weeks, at the usual rates of advertising. Should you not think it necessary to use it, please return it.

Yours with respect,
E M Pease

Proclamation.

Whereas it has been made known to me that Plymy, a negro man, the property of Isaac N. Fisher, did on the 13th day of March 1854, in the County of Cherokee, murder one D. S. Barkley, and that he has fled from justice

Now therefore, Be it known that I, E. M. Pease, Governor of said State, by virtue of the authority vested in me by the Constitution and laws of said State, do hereby offer a reward of one hundred and fifty dollars for the apprehension and delivery of said negro man Plymy into the custody of the Sheriff of Cherokee County, that he may be dealt with according to law for said offence.

In testimony whereof I have here-

unto set my hand, and caused the Great Seal of the State to be affixed.

Done at the City of Austin, this, the first day of May A.D. 1854, and of the Independence of the United States the Seventy Eighth, and of Texas the Nineteenth Year.

E M Pease

By the Governor
Ben Holland,
Actg Secretary of State.

Executive Office
Austin Texas 1st May 1854

W. P. Rogers Esqr
Dear Sir,

Your letter of the 20th March was handed to me by Major Scurry some time since. Being much engaged at the time, it was laid aside to be answered when at leisure, and has been overlooked until now.

This State has hitherto received no arms from the General government but the common musket in use in the United States army, which, I presume, is not the discription of arms that would be desired by a volunteer military company in this State, as most of our citizens prefer the use of the rifle — But we have no law that would authorize me to loan even these to the militia of the State; and I would be unwilling to take the responsibility of making this use of them without a law authorizing me to do so, except in case of an insurrection or actual invasion. I called the attention of several members of the Legislature to this subject at the last session, and urged the propriety of passing a law authorizing the Governor to take the value of the arms due this State, in such discription of arms as would be suited to the habits of our citizens, instead of taking the common musket,

and also to place all state arms in the hands of volunteer companies until they should be needed by the state, but nothing was done in the matter.

Very respectfully
Your obt Servt,
E M Pease

Executive Office
Austin Texas, 2nd May 1854.

Charles S Taylor Esqr
Dear Sir,

Your letter of the 24th - April was received this morning, and in reply I have to state, that perhaps I ought to have written you before this that Col Young had declined the appointment, and that R H Lane of Harrison County has been appointed to fill the vacancy. The necessity for this did not occur to me, although I took such steps as were in my power to save you any unnecessary trouble.

In my letter to Mr Lane advising him of his appointment, I requested him, in case he accepted, to inform you, at once, what time he would meet you at this place, to start for the Counties where the duties of the office are to be performed, as it might prevent some loss of time to you, in case you had not already left home for this place. There was much delay in my getting Col Youngs letter declining the office, and Mr Lane was not appointed until the 13th - of April. I have every reason to believe that he will accept, and presume before you get this, you will have received a letter from him, in accordance with my suggestion to him.

I believe it is the general wish of the citizens on the Rio Grande, that you should visit first, the counties from Eagle Pass down, and defer your visit to Presidio and El Paso Counties until the last.

Yours with respect,
E M Pease

The State of Texas }
County of Galveston } This day personally came and appeared before me Jacob. E. Rump a Justice of the Peace within and for the County of Galveston, the subscriber Joshua C Shaw, to me well known, who being duly sworn, doth depose and say, that on the 31st, day of March A.D. 1854, Louis Boudwoine and his wife whose Christian name is unknown, did feloniously, and in violation of the laws of the State of Texas, in the County of Galveston and said State of Texas, steal away from, and out of the possession of the affiant, a negro boy, a slave for life, called and named Barney, the property of affiant, and at the time in the possession of and owned by affiant in the County of Galveston aforesaid. That the said Louis Boudwoine and his wife have both fled from the State of Texas, and are now fugitives from the Justice of said State of Texas, and taken refuge in the City of New Orleans in the State of Louisiana.

Sworn to and subscribed before me, this 28th day of April A.D. 1854.

Joshua. C Shaw

J. E. Rump
J.P. G. County.

The State of Texas.

I. E. M. Pease Governor of the State of Texas, do hereby certify that J. E. Rump, who signs the foregoing certificate, is now, and was at the time said certificate was signed, a Justice of the Peace in and for the County of Galveston in said State, and that full faith and credit are due his act as such, and that the said certificate and the affidavit that precedes the same are authentic.

In testimony whereof, I have hereunto set my hand, and caused the Great Seal of the State to be affixed, at the City of Austin this the second day of May A.D. 1854, and of the Independence of the United States the Seventy Eighth, and of Texas the Nineteenth Year.

L. S.

E M Pease

By the Governor
Rich Nollan
Actg Secretary of State.

Executive Department
Austin May 2nd 1854.

To the Executive authority
of the State of Louisiana.

Whereas it appears by the annexed document, which is hereby certified to be authentic, that Louis Boudwoine and his wife whose christian name is unknown, stand charged with the crime of Larceny committed in the State of Texas, and information having been received, That the said Louis Boudwoine and his wife, whose christian name is unknown, have fled from justice, and taken refuge in the State of Louisiana.

Therefore, I, E. M. Pease, Governor of the State of Texas, have thought proper, in pursuance of the Constitution and laws of the United States, to demand the surrender of the said Louis Boudwoine and his wife, whose christian name is unknown, as fugitives from Justice, and that they be delivered to Joshua C Shaw, who is hereby appointed the agent on the part of the State to receive them.

Given under my hand and the Great Seal of the State affixed, at the City of Austin, this the 2nd day of May, A.D. One Thousand Eight Hundred and Fifty Four, and of the Independence of the United States, the Seventy Eighth, and of Texas the Nineteenth Year.

L. S.

E M Pease

By the Governor
Wm. A. Ochiltree
Act'g Secretary of State.

Executive Office
Austin Texas, 5th - May. 1854.

Sir,

You are correct in supposing that when I wrote you on the 28th - Ultimo, I was under the impression, that the Courts of this State had taken cognizance of the offence of Dr Steiner, previous to the time when the Military authorities of the United States arrested him. It was that impression which induced me to confine my argument mainly to the ground on which you asked my interference to restore Doctor Steiner to your custody, which was, that the Constitution of the United States vested in Congress exclusive legislation, in all cases whatever, over Forts, Arsenals, Dock yards, and other needful military works, though within the limits of State boundaries. You will recollect, I stated, that unless the offence of Doctor Steiner was one, over which, the Authorities of the United States had exclusive jurisdiction, it was certainly cognizable in the State Courts.

I did not deem it necessary to examine the question, whether the military authorities of the United States had concurrent jurisdiction with the Courts of this State, because no such principle was then asserted by you. It occurred to me however, that such a claim might be advanced and not having time to examine it as I desired, I referred to the well known rule of law, that in such cases, the Court which first took jurisdiction retained it, and added, that I understood there was no doubt about the fact, that the first prosecution against Doctor Steiner was commenced by the State Court.

In your letter of the first instant, you no longer claim exclusive jurisdiction for the authorities of the United States over the offence of Doctor Steiner, but you ask me to interpose my authority, to restore him to your custody, on the ground, that the Military authorities of the United States first took cognizance of the offence, and have a right to continue to exercise it, until all the requirements of the military law are fully complied with. This has imposed upon me the necessity of examining into the power of the military authorities of the United States, over offences against the

rules and articles for the government of the armies of the United States, committed by officers and Soldiers of the army, within the limits of a State, in places, over which, exclusive legislation has not been ceded to Congress, in cases where the facts and circumstances that constitute the offence against these rules and articles, also constitute a high crime against the laws of the State.. That a Court Martial has jurisdiction to try and punish such offences I entertain no doubt, and it is equally clear that the State Courts have jurisdiction also, but I have found some difficulty in arriving at a conclusion entirely satisfactory to myself, whether their jurisdiction is concurrent, or whether that of the State Court is paramount. The best examination I have been able to give the subject has however, led me to the conclusion, that in all such cases, if the State asserts its jurisdiction, the offence against the laws of the State must be first tried. I lay down the position, that the jurisdiction of a State is co-extensive with its territory, and its legislative power. a necessary consequence of this position is, that every person within its jurisdiction, who commits an offence against its laws, is liable to be arrested, tried and punished by its Courts. The fact that under the Constitution and laws of the United States, certain offences committed within the territorial limits of a State, are exclusively cognizable by the civil and Military Courts of the Union, does not constitute an exception to this rule, for in all such cases, it will be found, that they are not offences against the State laws, or that the State has parted with its legislative power over the offences, or the places where they are committed, by a cession to the United States. I know of no provision of the Constitution or laws of the United States, or this State, that exempts officers and soldiers of the army, on service, within the acknowledged jurisdiction of this State, from the penalties attending a violation of its laws. The offence of which Sturor is accused, being a high crime against the laws of this State, and he being in the custody of the civil Magistrates, who have complete jurisdiction of the matter, paramount to all other authority, I know of no power that has the right to take him from them, until he is discharged by due course of law.

The conclusion to which I have arrived seems to be sustained by the 33rd article of the rules and articles for the government of the armies of the United States, which provides that, "When any commissioned officer

or Soldier, shall be accused of a Capital Crime, or of having used violence, or committed any offence against the person or property of any citizen of any of the United States, such as is punishable by the known laws of the land, the commanding officer, and officer of every regiment, Troop or Company to which the person, or persons, so accused shall belong, are hereby required, upon application duly made by, or in behalf of the party or parties injured, to use their utmost endeavors to deliver over such accused person, or persons, to the civil Magistrate, and likewise to be aiding and assisting to the officers of justice in apprehending and securing the person or persons so accused, in order to bring him or them to trial." This article, it seems to me, would require you to deliver Dr Steiner to the Courts of this State for Trial, upon application duly made by them, even if he was now in your custody. I am aware you state in your letter of the 26th of April that, "The Crimes and offences contemplated by this law, are such as officers and Soldiers commit <u>outside</u> the Military works. But with due deference, I do not think the language of the article justifies such a construction, nor am I aware that such a construction has been judicially given to it. The section itself contains no such limitation, but applies to offences of the character named, whenever committed by officers or soldiers of the army. I have heard it contended, that this article applies only, to officers and soldiers accused of the offences named, when committed against the persons or property, of citizens who do not belong to the army. This seems to be a forced construction, not authorized by the plain import of the words used, and I cannot find that any court has ever given such a construction to it.

I think I am also sustained in my conclusions by the letter from the adjutant General to Brt. Maj. Gen. P. F. Smith, of the 30th September 1853, a copy of which accompanied your letter to me, of the 26th ultimo. The adjutant Genl. says to Gen. Smith," Dr Steiner therefore, will not be delivered over to the civil authorities unless they demand him." And in another part of

the same letter, after directing what course should be pursued, if the Doctor should be taken before a civil tribunal on a writ of Habeas Corpus, he says, "Should the civil authorities not remand or deliver him to you, you will arrest him, as soon as he is released from their custody." These instructions, it will be recollected, were given after Lt. Anderson had reported the facts in relation to the death of Maj. Arnold, and that he had caused Dr Steiner to be arrested — Again, the letter to you, of the 5th April 1864, from Asst. Adjt. Genl. Bull, a copy of which accompanies your letter of the 26th ult. refers to the above named letter from the Adjut. Genl to Genl. Smith, as containing the views and intentions of the Secretary of war in relation to this subject, and states, that the General, (Smith,) desires the same shall be fully carried into effect.

These letters, I think, clearly recognize the right of the Courts of this State to demand Dr Steiner for trial, even if he was in your custody — The authorities of this State have never shown any want of respect for the Constitution and laws of the United States, and it should be supposed, that there is in the present case, any intention to interfere with or obstruct the administration of the military laws of the Union. This controversy in regard to jurisdiction over the offence of Dr Steiner has not been the result of any legislation of this State — a law has long since passed authorizing the United States to purchase and obtain exclusive jurisdiction over the site occupied by Port Graham, and all other places in the State necessary to be occupied for Ports, Magazines, Arsenals, Dock yards &c — If that government had availed itself of the provisions of said law, this controversy could not have arisen.

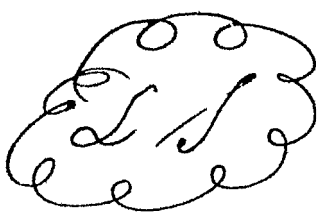
Very respectfully
Your obt Servt,
E. R. Rose

Cs Brt. Brig. Genl
Wm. S. Harney U.S.A.

Proclamation.

Whereas, it has been made known to me that James Tyson, was indicted by the grand jury of Grayson County in this State, at the Spring term of the District Court in said County for the year 1857, for the murder of James McGrady in said County on the 2nd day of August 1856, and the said James Tyson is still going at large and is a fugitive from justice.

Now, therefore, be it known, that I, E. M. Pease, Governor of said State, by virtue of the authority vested in me by the constitution and laws of said State, do hereby offer a reward of Four Hundred dollars for the apprehension and delivery of said Tyson into the control of the Sheriff of Grayson County, that he may be dealt with according to law for said offence.



In testimony whereof, I have hereunto set my hand and caused the Great Seal of the State to be affixed, at the City of Austin, this the Sixth day of May A.D. Eighteen hundred and Fifty four.

By the Governor
Bird Hillard
Actg Secretary of State.

E M Pease

Department of State
Austin, May 8th 1854

I hereby certify that the leaf originally succeeding this, and being numbered pages 98 and 99, was cut out in consequence of the same having been overlooked in the course of recording.

Bird Hillard
Acting Secretary of State.

The State of Texas.

To all and singular the Sheriffs, constables and other civil officers of said State — Greeting —

Whereas it has been represented and made known to me by P. C. Hebert the Governor of the State of Louisiana, that Samuel White late of said State of Louisiana, stands charged by Indictment found in the District Court of the Sixteenth Judicial District of said State, in and for the Parish of Natchitoches in said State of Louisiana, with the Crime of Robbery, and that the said Samuel White has fled from justice in said State and has taken refuge in the State of Texas.

And whereas, the said Governor of the State of Louisiana, in pursuance of the Constitution and laws of the United States, has demanded of me that I cause the said Samuel White to be arrested and delivered to James B. Cliff, the duly authorized agent appointed by said Governor of the State of Louisiana to receive the said White into custody and carry him to the State of Louisiana.

And whereas, the said representation and demand are accompanied by a copy of said Indictment, duly certified as authentic by the said Governor of the said State of Louisiana —

Now therefore be it known, that I, E. M. Pease, Governor of the State of Texas, do, by virtue of the authority vested in me by the Constitution and laws of this State, and of the United States, issue this my warrant, commanding all Sheriffs, Constables and other civil officers of this State, to arrest and to aid and assist in arresting the said Samuel White, and to deliver him, when arrested, to the said James B. Cliff, agent of said State of Louisiana, in order that he may be taken back to said State of Louisiana, to be dealt with for said Crime of Robbery according to law.

In testimony whereof I have hereunto set my hand and caused the Great Seal of the State to be affixed, at the City of Austin, this the 8th day of May A.D. 1874.

(L S)

By the Governor
Geo. Hollands
Act'g — Secretary of State.

E M Pease

Executive Office
State of Texas
Austin 8th May 1854.

To the President of the United States.
Sir.

I have the honor to enclose to you the petition of Antonio Manchaca, supported by his affidavit, shewing that Carlos Rios i Martinez, a citizen of this State has been forcibly pressed into the military service of Mexico, where he is now retained against his will, at Monclova in the State of Coahuila. Mr Manchaca who makes this affidavit is a native of this State. I have been acquainted with him nearly twenty years, and have always considered him a man of veracity. There is another affidavit attached to that of Manchaca, but I have no personal knowledge of the affiant or of his character.

I beg leave to request that this matter may be inquired into, and if the facts set forth by Mr Manchaca, shall prove to be true, as I have no doubt they will, that measures may be taken to procure the release of Carlos Rios i Martinez and his return to this State.

Very respectfully
Your Obt Servt.
E M Pease

Executive Office.
Austin 8th May 1854.

Gentlemen,

I have received your Petition asking that a company of Rangers shall be raised and sent to the frontier for your protection against the depredations of the Indians — I am well aware of the exposed situation of your settlements and deeply sympathize with you in the sufferings you have to encounter. I have heretofore brought this matter to the notice of the Secretary of war and earnestly entreated

him to have such measures adopted as shall effect the removal of the Indians of this State, entirely beyond the reach of the settlements and place them under the control of a military force sufficient to prevent them from ever returning, and I am not without hope that such measures will be adopted at early day.

I do not much the propriety of calling out Rangers, for short periods, after the Indians have retired from committing their depredations, for they cannot be mustered in time to pursue and punish the offenders, and their terms of service expire before the Indians have acquired sufficient confidence to return to the scene of their former operations. If however I had the authority to call into service a few companies of Rangers, permanently, or for several years, I feel very certain, that they would give perfect security to our frontier settlements. But no such authority is vested in the Executive, and the Legislature has failed to place at his disposal any means to pay or subsist a force for the protection of the frontier even for a short period.

The depredations lately committed east of the Colorado, it is now pretty well ascertained were done by the Tonkawa Tribe, and those near San Antonio by Lipans, as you will see from the letter of Maj R. S. Neighbors, United States Indian agent, of which I send you a copy with this.

These Tribes, under the belief that they were entirely friendly, have been permitted, for some time past, to reside below the line of Posts, and have been fed by the bounty of the United States government in the neighborhood of Fort Inge. If on that this true character and conduct is known, it is presumed, that they will no longer be permitted to reside in the neighborhood of our settlements, where they can so conveniently depredate upon our citizens, but it is not doubted that they will be placed under restraint where their movements can be continually watched by the United States Troops.

This course I am inclined to believe will be pursued, from the fact, that prompt means were taken for the arrest of a portion of those Tribes, upon my representations to the United States agents, that they were the perpetrators of the late outrages.

Should these Savages again be turned loose below the line of Posts, and no measures be

taken by the United States authorities to give some adequate protection to the frontier, I may then deem it necessary to call out a sufficient number of our brave citizens to perform this duty, and rely upon the justice of the Legislature hereafter to compensate them.

In the mean time, should a pressing necessity arise for defence against any sudden attack of the Indians, I advise the citizens promptly to turn out and punish them without waiting for a requisition for the execution. Should such a crisis become necessary, the officers should make a full report to the Adjutant General of their operations, with the number of volunteer and the expenses thereof, and I shall cheerfully recommend that the Legislature make a sufficient appropriation to compensate them for their time and expenses.

I will receive from the letter of Mr. Neighbors that the Comanches are in confinement at Fort Inge awaiting to be turned over to the civil authorities for trial and punishment, and that they will be turned over on my requisition. Should it be thought that evidence can be procured to induce their conviction for any of their late depredations in some of your Counties, and warrants be issued for the proper officers for their arrest, I shall have no hesitation in issuing a requisition for their delivery.

Very respectfully,
Your ob't Serv't.
Ed Pease

Note.

Copy of the above sent to Mr. A. J. Fieldwood, A. J. Walker, J. M. Nunn and other citizens of the counties of Bexar, Bee, Nueces and Williamson.

Similar copy to Gen. J. Underwood, M. Hilton, Bryant McFadden and other citizens of the counties of Bryan and Brazos.

Executive Office
Austin Texas, 8th May 1854.

Maj R S Neighbors.

Dear Sir.

I have the honor to acknowledge the receipt on the 6th Inst of your letter of the 2nd giving an account of your proceedings in relation to the depredations lately committed by the Toukawa Indians.

I have communicated to the citizens of the counties in which these depredations were committed, the fact, that the perpetrators are now in close custody at Fort Inge, ready to be delivered to the civil authorities upon my requisition, and advised them that I am prepared to give the requisition whenever proper measures are taken and warrants are issued for their arrest by the officers of the County in which the offences were committed. Unless this is done, I do not think that I have any authority to issue a requisition.

I have not much expectation, if they are delivered to the civil authorities, that any of them will be convicted, for it will be nearly impossible to identify them as the Indians who committed the offences, and I presume that the admissions they have made, will be held by the Courts, to have been made under duress, and excluded in the trial. Neither have I much expectation that any proceedings will be taken against them in any of those Counties; but I would suggest that even if no demand is made for them, they shall be retained by the Military, for some time, and that the remainder of the Tribe, as well as the Lipans still remaining be detained in the neighborhood of Fort Inge, and not allowed to go into the vicinity of the Settlements.

Yours with respect,
E M Pease

Executive Office
Austin Texas 8th. May 1854.

Mr Adolph Donai.

Dear Sir.

In accordance with what I stated in my last letter to you, I am bound to give you the job of printing the laws in German, as you propose to print, fold and stitch them, and furnish all materials, for two per cent less than any other office. The office at New Braunfels proposes to do the work at 3/4 of a cent per page, provided 350 copies are printed. That is the number that I have decided upon having printed, and the job will be given to you at two per cent less than 3/4 of a cent per page, the pages to be of equal size with the English Copy. If you still are willing to abide by your proposals, please write me, and I will direct the translation sent to you when complete.

Yours with respect,
E M Pease

1854.
June.

The State of Texas.

To all and singular the Sheriffs, Constables and other civil officers of said State - Greeting -

Whereas it has been represented and made known to me by Herschel V. Johnson, the Governor of the State of Georgia, that Seaton L. Harrison, late of said State of Georgia, stands charged by Indictment found in the Superior Court of Randolph County in said State of Georgia, with the offence of Misdemeanor, and that said Seaton L. Harrison has fled from justice in said State, and has taken refuge in said State of Texas.

And whereas the said Governor of the State of Georgia, in pursuance of the Constitution and laws of the United States, has demanded of me that I cause the said Seaton L. Harrison, to be arrested and delivered to Delaware Morris, the duly authorized agent appointed by said Governor of the State of Georgia to receive said Seaton into custody and carry him to the State of Georgia and whereas the said representation and demand are accompanied by a copy of said Indictment, duly certified as authentic by the said Governor of the said State of Georgia -

Now therefore, I, E. M. Pease, Governor of the State of Texas, do, by virtue of the authority vested in me by the Constitution and laws of this State and of the United States, issue this my warrant, commanding all Sheriffs, Constables and other civil officers of this State to arrest, and to aid and assist in arresting the said Seaton L. Harrison, and to deliver him, when arrested, to the said Delaware Morris, agent of said State of Georgia, in order that he may be taken back to said State of Georgia, to be dealt with for said Misdemeanor, according to law.

In testimony whereof I have hereunto set my hand and caused the Great Seal of the State of Texas to be affixed. Done at the City of Austin, this the Fifth day of June A.D. 1854, and of the year of the Independence of the United States the Seventy Eighth and of Texas the Nineteenth.

E M Pease

By the Governor
Edward Clark
Secretary of State.

Proclamation.

By the Governor of the State of Texas.

Whereas, Isaac C Russell, is charged with having committed murder upon the body of William L Harper, in the County of Hopkins of this State, on the 15th - day of May 1852; and whereas, it has been made known to me, That the said Russell has fled from justice -

Now, therefore, be it known, That, E. M. Pease, Governor of said State, by virtue of the authority vested in me by law, do hereby offer a reward of three hundred dollars for the apprehension and delivery of said Russell to the Sheriff of Hopkins County in order that he may be dealt with according to law.

In testimony whereof I have hereunto set my hand, and caused the Great Seal of the State to be affixed - Done at the City of Austin, this the 16th - day of June A.D. 1854, and of the Independence of Texas the Twelfth Year.

E M Pease

By the Governor

Edward Clark

Secretary of State.

Said Russell is about 35 years of age, about 5 feet 10 inches high, black eyes and black curly hair, quick spoken and will weigh about 165 or 175 pounds.

The State Gazette, Northern Standard and Jefferson Herald, are requested to publish the above proclamation four times - once a week for four weeks -

Proclamation.

By the Governor of the State of Texas.

Whereas, William Forest is charged with having committed murder upon the body of James H. Hoch, in the County of Washington in this State, on the 24th day of May 1854; and whereas it has been made known to me that the said Forrest has fled from justice.

Now, therefore, be it known, that I, E. M. Pease, Governor of said State, by virtue of the authority vested in me by law, do hereby offer a reward of three hundred dollars, for the apprehension and delivery of said Forrest to the Sheriff of Washington County in order that he may be dealt with according to law.

In testimony whereof I have hereunto set my hand and caused the Great Seal of the State to be affixed. Done at the city of Austin, this the 16th day of June A.D. 1854, and of the Independence of Texas the Nineteenth Year.

E. M. Pease

By the Governor
Edward Clark
Secretary of State.

Said Forrest is about five feet eight or nine inches high, of rather genteel appearance, light complexion, gray eyes, and pleasant countenance.

The State Gazette, Galveston Civilian and San Augustine Herald, were authorized to publish the above Proclamation, each, for four weeks, once weekly—

Proclamation.

By the Governor of the State of Texas.

Whereas Justus Odum is charged with having committed murder upon the body of Peter Sauer in the County of Harris of this State, on the 8th day of May 1854; and whereas it has been made known to me that the said Justus Odum has fled from justice—

Now, therefore, be it known that I E. M. Pease, Governor of said State, by virtue of the authority vested in me by law, do hereby offer a reward of Two Hundred and Fifty Dollars for the apprehension and delivery of said Odum to the Sheriff of Harris County in order that he may be dealt with according to law.

In testimony whereof I have hereunto set my hand and caused the Great Seal of the State to be affixed. Done at the City of Austin, this the 16th day of June A.D. 1854, and of the Independence of Texas the 19th Year.

(L S)

E M Pease

By the Governor
Edward Clark
Secretary of State.

The Telegraph at Houston, The State Gazette, and New Braunfels Zeitung are requested to publish the above Proclamation once a week for four weeks—

Proclamation.

By the Governor of the State of Texas.

Be it known, that I, E. M. Pease, Governor of the State of Texas, do, by virtue of the authority vested in me, hereby order and direct that an election be held in the several counties of this State on the first Monday, (the seventh day,) of August next, for the election of an Attorney General, Comptroller of Public accounts and State Treasurer for the State. And also, in and for each of the different Counties, (except such of the new Counties created by the last Legislature as may have previously elected County officers,) for one Chief Justice, four County Commissioners, one Sheriff, one Coroner, one County Clerk, two Justices of the Peace and one Constable for each Justice's Precinct, one County Treasurer, and one Assessor and Collector of Taxes; one District Surveyor in each of the said Districts, when the time of the present incumbent will expire on or before the first Monday of August, 1854, and one District Clerk in each and every County when the term of office of the present incumbent will expire on the first Monday of August next, or when the office is now filled by appointment of a District Judge. And at the same time in the first and tenth Judicial Districts for a District Judge, and in the first, second, third, fourth, fifth, sixth, eighth, ninth, tenth, eleventh and thirteenth Judicial Districts each, for a District Attorney; and the person elected in the said thirteenth District, to enter upon the duties of his office at the expiration of the term of office of the present attorney in and for said District.

And on the same day, for a Senator for the ninth Senatorial District, the County of Rusk, made vacant by the death of the Hon. David Paige, also for the twenty-sixth District, embracing the Counties of Calhoun, Victoria, Jackson, Goliad, DeWitt and La Vaca, to supply the vacancy occasioned by the death of the Hon. James T. Lytle, and for a Representative in the thirty second District, formed of the Counties of Jefferson and Orange, the Hon. Bird Holland having resigned.

And I do, in obedience to an act passed February A.D. 1854, further order and direct that an election be held throughout the State on the said first Monday

(the seventh day) of August next, to determine whether or not the sale of spirituous or vinous liquors in less quantity than one quart, shall be abolished or continued; said election to be conducted and returns made to the Chief Justices of the several Counties as in elections for County Officers, and the vote to be for or against said license; the voters endorsing on their tickets "For the license law," or, "Against the license law," as the case may be. And if upon counting the votes thus cast and returned in any County, there shall be found to be a majority of votes cast for the license in such County, then and in that case license may issue as heretofore, for the sale of spirituous or vinous liquors in less quantity than one quart in said County. But if a majority of the votes cast in any County shall be against the license, then there shall issue no more licenses for the sale of spirituous or vinous liquors as aforesaid in said County.

The Chief Justices of the several Counties, (and in case of vacancy in the office of Chief Justice, or inability of that officer to act, then any two of the County Commissioners,) will give due notice, and cause polls to be opened on the first Monday, (the seventh day,) of August next, at the several precincts of their respective Counties, for the election of the above mentioned State and County Officers, together with such other County Officers, if any, as should then be elected, and in the aforesaid Judicial and Legislative Districts, for the Election of the District Judges and District Attorneys, and the said Senators and Representative. And the Chief Justices of the several Counties, or County Commissioners as the case may be, will make duplicate returns of said election, of State and County officers, and District Judges, and District Attorneys carefully sealed up, one of which shall be deposited in the office of the Clerk of the County Court of their respective Counties, and the other transmitted by them to the Seat of Government, directed

ted to the Secretary of State, and endorsed, "Election returns for ___ County, for ___;" and the Chief Justices of the Counties composing the said twenty-sixth senatorial district will make return to the Chief Justice of Victoria County, and the Chief Justices of the Counties composing the thirty second Representative district will make return to the Chief Justice of Jefferson County, and the Chief Justices of the said Senatorial and Representative district, to whom returns are to be made, or any two of the County Commissioners, in cases where they are authorized to act, will give to the Senator and Representative elect in said Districts the proper certificate of their election.

In testimony whereof, I have hereunto set my hand and caused the Great Seal of the State to be affixed. Done at the City of Austin, this the 17th day of June, A.D. 1854, and of the Independence of the United States the Seventy-eighth, and of Texas the Nineteenth Year.

E. M. Pease

(L. S.)

By the Governor.

Edward Clark

Secretary of State.

The State of Texas.

Whereas at the Spring Term 1858 of the District Court in and for the County of Nueces in said State, one Cassimero Aco was convicted of murder in the second degree and sentenced to hard labor in the State Penitentiary for the term of fifteen years where he has been confined since his conviction.

And whereas it has been represented to me that said Aco, was prevailed upon to engage in the commission of said crime by the evil counsel and influence of another who was really the principal in the affair, and who escaped punishment.

And whereas it has been made known to me that said Aco since his confinement, has been very industrious and submissive to the rules and regulations of the Penitentiary.

Now therefore - Be it known that F. E. M. Pease, Governor of said State, by virtue of the power vested in me by the Constitution and laws of this State, do hereby pardon the said Aco for said crime, and direct the Keeper of the State Penitentiary and all other officers having the custody of said Aco under said sentence, to release him from all future confinement.

In testimony whereof I have hereunto set my hand and caused the Great Seal of the State to be affixed. Done at the City of Austin, this, the 17th day of June 1858, and of the Independence of Texas the 19th - Year.

L. S.

E M Pease

By the Governor
Edward Clark
Secretary of State.

Executive Office
Austin Texas, 24th June 1854.

John C. McLeod, J. W. Carolan,
Russell Howard & W. L. Paschal Esqrs
Gent.

On my return to this place a few days since, I received your letter of the 24th ult. with a copy of the proceedings of a public meeting of the citizens of Bexar County, held on the 23rd, "to take into consideration the continued depredations of the Indians, and to devise means of protection from further outrages."

I regret that my absence from this place prevented an interchange of opinions with you on these subjects, as it would have enabled me to learn more fully than can be ascertained from the proceedings of the meeting, or from your letter, what steps it is desired shall be taken by the Executive.

I have given much consideration to these subjects, and have heretofore urged upon the Officers of the General Government, the necessity that exists for a more efficient force to be placed upon the frontiers of this State to give security to the lives and property of our citizens, but thus far my representations have been overlooked or disregarded.

It must be admitted by all that the General Government has hitherto failed to give that protection to this State against Indian depredations to which it is entitled. I have entertained hopes that the present administration would abandon the policy that has heretofore proved so expensive and inefficient, and adopt one that will compel the savages upon our frontier to pay some respect to treaty stipulations. Should these hopes prove delusive, and no better protection be afforded to our citizens, by those to whom this duty belongs, than has been for several years past, it will become necessary for the State itself to adopt some measures to attain this object, but while there is any hope remaining that the General Government will perform this duty I am averse to taking any steps that may seem to be an interference with their measures.

For a few weeks past, no new outrages have come to my knowledge, which leads me to suppose

that the disposition of the troops upon our frontier which has recently been made by Genl. Smith, has had some effect in deterring the Indians from prosecuting their predatory incursions.

For the present, and until some further steps shall be taken, either by the General or State Government, to give adequate protection to the frontier counties of this State, I would advise, in case of any sudden attacks by the Indians, that the citizens of those counties should rally a force, and pursue and, if possible, overtake and punish them without waiting for a call from the Executive, which would necessarily cause such a delay as to enable the Indians to escape pursuit. In such an emergency their acts will be recognized by the Executive and, if necessary, a larger force will be called out to sustain and relieve them.

I have the honor to be
Very respectfully
Your obt Servt,
Ed Pease

1854.
July.

Executive Office
Austin, Texas, 1st. July 1854.

Hon. J. T. Crosby.
Dear Sir.

Your letter of the 10th ult. giving an account of your proceedings for the relief of Mrs Wilson, was received this morning, & avail myself of the first mail to reply to it, and assure you that the course pursued by you meets with my approval. The expenses incurred by you, on her account, will be paid out of the appropriation made by the last Legislature. Probably the best course for you to obtain the money, will be to draw on me for the amount when you send the accounts and vouchers for the sum expended, and your draft will be paid at sight.

Yours Truly
E. M. Pease

Executive Office
Austin Texas, 3rd. July 1854.

C. W. Buckley.
Dear Sir.

Your resignation of the office of Judge of the 7th Judicial District, to take Effect on the 3rd Monday in September next, was received at this office this morning. It is accepted, and an election will be forthwith ordered, to be held on the 1st Monday in August to fill the office.

Yours with respect,
E. M. Pease

Executive Office
Austin, Texas, 3rd July 1854.

R. S. Ivins Esqr.

Dear Sir.

Your resignation of the office of Judge of the 1st Judicial District has been received at this office, and is accepted.

Yours with respect,
E M Pease

The State of Texas.

Whereas John Kohlman was lately convicted before Wm B. Reeves Esqr. a Justice of the Peace in and for the County of Harris in said State, for a breach of the Peace and a violation of the criminal laws of this State and sentenced therefor to an imprisonment for thirty days in the County Jail, where he is now confined—

And whereas it has been made known to me by those engaged in his persecution, that since his conviction they have become satisfied that although said Kohlman was present in the assemblage at the time the Breach of the Peace was committed, yet he was there to prevent and not to promote it as was at first supposed.

Now, therefore, be it known that I. E. M. Pease, Governor of said State, by virtue of the authority vested in me by law, do hereby pardon the said Kohlman for the said offence of which he has been convicted, and hereby direct the Sheriff and Jailor of Harris County, forthwith to release said Kohlman from further confinement.

In testimony whereof I have hereunto set my hand and caused the Great Seal of the State to be affixed. Done at the City of Austin, this the 3rd day of July, A.D. 1854, and of the Independence of Texas the Nineteenth Year.

(L. S.)

E M Pease

By the Governor
Edward Clark
Secretary of State.

Proclamation,

By the Governor of the State of Texas.

Whereas, by the death of the Hon. John B. Mallard, a vacancy has occurred in the twentieth Representative District, the County of Anderson.

Now, therefore, I E. M. Pease, Governor of the State of Texas, do, by virtue of the authority vested in me, hereby order and direct that an election be held at the different precincts of said County, on the first Monday, (the seventh day,) of August next, for a Representative for said District. The Chief Justice of Anderson County, and in case of vacancy in the office of Chief Justice, or inability of that officer to act, then any two of the County Commissioners, will give due notice and cause polls to be opened, on the day specified, at the several precincts in said County, for the election of a Representative to supply said vacancy. And the Chief Justice, or County Commissioners, as the case may be, will make proper returns of said election, and give to the person elected in said District the proper certificate of his election.

In testimony whereof, I have hereunto set my hand and caused the Great Seal of the State to be affixed, Given at the City of Austin, this, the, 3rd day of July, A.D. 1874, and in the year of the Independence of Texas the nineteenth.

E. M. Pease

L. S.

By the Governor

Edward Clark

Secretary of State.

Proclamation

By the Governor of the State of Texas.

The Hon. Constantine W. Buckley, Judge of the Seventh Judicial District of Texas, composed of the Counties of Montgomery, Grimes, Walker, Trinity, Polk, Tyler, Jefferson, Orange, Liberty and Harris, having resigned said office of Judge - E. M. Pease, Governor of said State, do, by virtue of the authority vested in me, hereby order and direct that an election be held in the several Counties of said Judicial District, on the first Monday, (the Seventh day,) of August next, for the election of a District Judge in and for said District.

The Chief-Justices of the several Counties composing said Judicial District, (or in case of vacancy in the office of Chief-Justice, or inability of that officer to act, any two of the County Commissioners,) will give due notice, and cause polls to be opened at the precincts of their respective Counties, for the election of a Judge in and for said Seventh Judicial District, and the Chief-Justices of the several Counties, or County Commissioners as the case may be, will make duplicate returns of said election. one of which will be deposited in the office of the Clerk of the County Court of their respective Counties, and the other, transmitted by them to the Seat of Government, directed to the Secretary of State, and endorsed, "Election Returns of ____ County for Judge of Seventh Judicial District."

In testimony whereof, I have hereunto set my hand and caused the Great Seal of the State to affixed. Done at the City of Austin, the the 3rd day of July, A.D. 1874, and of the Independence of Texas the Nineteenth Year.

(L. S.)

E M Pease

By the Governor

Edward Clark

Secretary of State.

Proclamation

By the Governor of the State of Texas.

Whereas Daniel T. Alexander and John Alexander are charged with having committed murder, upon the body of Jacob Acord in the County of Lamar of this State, on the 8th day of December A.D. 1853, and whereas it has been made known to me that the said Daniel T. Alexander and John Alexander have fled from justice.

Now, therefore, be it known that I, E. M. Pease, Governor of the State of Texas, by virtue of the authority vested in me by law, do hereby offer a reward of three hundred dollars for the apprehension and delivery of the said Daniel T. Alexander and John Alexander, or a reward of one hundred and fifty dollars for the apprehension and delivery of either of said parties, to the Sheriff of Lamar County in order that they may be dealt with according to law.

In testimony whereof, I have hereunto set my hand and caused the Great Seal of the State to be affixed. Done at the City of Austin, this the 5th day of July A.D. 1854, and the year of the Independence of Texas the Nineteenth.

(L.S.)

E M Pease

By the Governor.

Edward Clark
Secretary of State.

Daniel T. Alexander is about 45 or 50 years old - about 5 feet 8 inches high - stout built, red face, hair inclined to be white is much disposed to talk and fond of drink.

John Alexander is about 18 or 20 years of age - stout built, has dark hair and but little to say.

"The State Gazette," "Northern Standard" and "Jefferson Herald," are requested and authorized to publish the above Proclamation three weekly for four weeks.

Inventors Office
[illegible] 1852.

expenses you may incur on her account, accompanied by the accounts and vouchers for the same, will be paid at sight.

Yours with respect,
E M Pease

Proclamation

By the Governor of the State of Texas.

Whereas John Gilmer, alias Gillmore, is charged with having committed murder upon the body of George Putnam in the County of Cherokee of this State, on the 16th day of August A.D. 1854; and whereas it has been made known to me that the said John Gilmer, alias Gillmore has fled from justice—

Now, therefore, be it known that I. E. M. Pease, Governor of the State of Texas, by virtue of the authority vested in me by law, do hereby offer a reward of Three Hundred Dollars, for the apprehension and delivery of the said Gilmer, alias Gillmore to the Sheriff of Cherokee County, in order that he may be dealt with according to law.

In testimony whereof, I have hereunto set my hand and caused the Great Seal of the State to be affixed.

L. S.

Done at the City of Austin, this, the 11th day of July A.D. 1854. and of the Independence of Texas the 19th-Year.

E M Pease

By the Governor
Edward Clark
Secretary of State.

Said Gilmer, alias Gillmore, is about 30 years old—has dark skin—black eyes and hair, and a down look—is stout and heavy built—weighs about 170 pounds—is about 5 feet, 8 or 10 inches high, and cannot speak plain in consequence of a paralytic stroke which injured his articulation. He may endeavor to pass himself as an Idiot.

"The State Gazette," "Texas Republican," and "Cherokee Sentinel", are requested and authorized to publish the above Proclamation once weekly for four weeks—

Executive Office
Austin Texas, 30th July 1854.

J. S. McDonald Esqr
Dear Sir.

Your of the 18th inst. informing me that the laws in Spanish are complete and ready for delivery was received some days since, but a press of other business has prevented me from answering it until now.

You will please send 50 copies to me at this place boxed up safely; the remaining 300 copies, you will please deposit with the Chief Justice of your County, taking his receipt for them, stating that he holds them subject to the order of the Governor of Texas.

Upon receiving the 50 copies and the receipt of your Chief Justice for the 300 copies as above stated, your account will be approved and paid at the Treasury.

Yours with respect
E M Pease

Executive Office,
Austin, Texas, 31st July. 1854.

Hon. John S. McLeod.
Dear Sir,

I have requested Mr J. S. McDonald to deposit with you 300 copies of the laws of the last Legislature in Spanish, which I hope you will be kind enough to receive and take charge of, as it will be much more convenient to distribute them from your place than from here.

I wish you to distribute 50 copies of them in your county, giving one copy to each officer to whom the laws in English are required to be delivered, and the residue to such persons as you may think proper.

The other 250 copies I wish distributed as follows, Viz. 50 copies to the Chief Justice

of El Paso County for the use of El Paso and Presidio Counties - 25 copies to Goliad - 25 to Nueces - 15 to Refugio - 15 to San Patricio - 30 to Cameron - 30 to Hidalgo - 30 to Starr and 30 to Webb County, to the chief Justices of each of said Counties. You will oblige me by having them put up in packages of suitable size to send by mail, with strong wrappers, well secured with strong twine. Direct the proper number, as before stated, to each of said chief Justices, pay the postage on them, and forward them by mail.

Send me a bill of the expenses you may incur in making the distribution as requested, and I will remit you the money, or a Treasury draft as you may desire.

Please advise me by return mail, or as soon as convenient, whether you are willing to undertake the business -

Truly your friend,
Ed Rose

1854.
August.

Executive Office
Austin, Texas, 4th August 1854.

Upon a careful examination of all the proposals, for the construction of the Mississippi and Pacific Railroad, filed in the office of the Secretary of State, within the time limited by law, being four in number, viz; one by E. S. Chatfield President of the Atlantic and Pacific Railroad Company, - one by P. Bremond, Ashbel Smith, W. R. Baker and others, one by Henry Beaumont and W. H. Wordward, and one by R. J. Walker, T. Butler King, M. T. Johnson and others, I have selected from them the proposal filed by R. J. Walker, T. Butler King, M. T. Johnson, S. A. Maverick, S. A. Greer, W. C. Lacy, George Hancock, John Hancock, James H. Raymond, H. P. Bee, James B. Shaw, W. H. Bourland, John W. Harris, Nat Ward, Leonard Randall, T. Pinckney Henderson and E. B. Nichols, as the one, which in my judgement, under all the circumstances of the case, offers the strongest assurances and guaranties that the road will be promptly and substantially built in its whole length, according to the provisions of the act to provide for the Construction of the Mississippi and Pacific Railroad.

The said parties are required, previous to the first day of September 1854, to enter into a contract for the construction of said road, which shall contain a provision that they shall, within sixty days after said contract is signed, deposit with the Treasurer of this State, Three Hundred Thousand Dollars, in gold or silver, or evidences of debt of the State of Texas, or other good par stocks, to be forfeited to and become the property of the State of Texas, in case fifty miles of said road shall not be constructed and in complete order for business within eighteen months from the date of said contract, and that in case said deposit is not made within the time specified the said contract shall be null and void.

The said contract shall also contain a provision, requiring said parties within two and a half years from the date of said contract, to have the track of said road, selected and surv-

eyed as far West as the one hundredth degree of longitude West from Greenwich, and a map thereof filed in the General Land Office of this State, showing said track so plainly that it can be identified and found upon the ground — and also that said track shall be selected and surveyed, and a map thereof be filed in the like manner, as far West as the crossing of the River Pecos, within three and half years from the date of said contract and also that said track shall be selected and surveyed and a map thereof be filed in like manner as far as the Rio Grande within four and a half years from the date of said contract and that in case said parties fail to make such selection and survey, and file said map for either of said sections, within the time specified, from and after the time when the same should have been done, all the land in said section, reserved by said act, shall be thrown open to location and disposition by the State, excepting only thirty miles in width on each side of the thirty second parallel of North latitude. The said contract shall also contain all such other provisions as may be deemed necessary to secure the construction, equipment and maintenance of the road in the manner required by, "an act to provide for the construction of the Mississippi and Pacific Railroad", approved 31st December 1853, and the laws of this State.

The contract will be drawn up and ready for signature as soon as it can be done, and in time to be signed before the 1st of September 1854.

E H Pease

Executive Office
Austin Texas, 8th August 1854.

Sir,

I have the honor to acknowledge the receipt, by the last mail, of your letter of the 29th of July.

In reply, I have no hesitation in saying that I believe an addition to the troops now in service in this State, is necessary to produce a feeling of security with the inhabitants residing on and near the frontier. This belief is based upon a knowledge of the many murders and outrages that have been committed by the Indians within the last six months, and upon the numerous communications that have recently been made to me, of the opinions of those inhabitants on this subject.

I therefore feel authorized, from the tenor of your letter, to call out six companies of mounted volunteers, to be mustered into the service of the United States, at the time and places mentioned by you, for twelve months unless sooner discharged.

I fully concur with you, in relation to the care that should be exercised in selecting these troops, as well as the necessity for their being well mounted and armed, and as so long a time is allowed for raising them, I am satisfied that I can send you a force well suited for the service in which you propose to employ them.

Very respectfully
Your obt Servt
E M Pease

To
Bvt Maj Genl
Persifor F. Smith.

Department of State
Austin, Texas, Aug 9th. 1854.

Messrs Beals Green & Co.

Gentlemen.

Accompanying please find draft for Seventy 29/100 dollars, the amount of your charges against the State of Texas for publishing advertisements for bids for constructing Mississippi and Pacific Railroad, minus seventy one cents, the cost of said draft.

I had your account audited, drew the amount, and not having any other means of remitting, I purchased this draft, which I hope will be satisfactory.

I have the honor to be
Very respectfully
Your obt Servt
Edward Clark
Secy of State.

Proclamation

By the Governor of the State of Texas.

Whereas, a requisition has been made upon me by Brevet Major General Persifor F. Smith, commanding the Department of Texas, for six companies of mounted men, to be mustered into the service of the United States, on the first day of November, 1854, for twelve months, unless sooner discharged; each company to consist of one Captain, one first and one second Lieutenant, four Sergeants, four Corporals, two Buglers, one Farrier, and seventy four Privates; each man to furnish his own horse, equipments and arms, and to be furnished with ammunition, forage and subsistence by the United States; the pay to be dependent on an appropriation by Congress which meets in December next.

And, whereas, it is desirable that each section of the state should have an opportunity to furnish

a portion of said troops: Now, therefore, be it known, That I, have divided the organized Counties of the State, (except the County of El Paso, which lies too remote to furnish men in the time allowed) into six districts, from each of which one Company will be received.

The first district includes the Counties of Cameron, Hidalgo, Starr, Webb, Nueces, San Patricio, Refugio, Goliad, Karnes, Victoria, Calhoun, Jackson, La Vaca, de Witt, Gonzales, Guadalupe, Comal, Bexar and Medina.

The 2d. District includes the Counties of Matagorda, Wharton, Colorado, Austin, Fort Bend, Brazoria, Galveston, Harris, Montgomery, Walker, Madison, Leon, Brazos, Grimes, Burleson and Washington.

The 3rd District includes the Counties of Fayette, Bastrop, Caldwell, Hays, Travis, Gillespie, Burnett, Bell, Williamson, Milam, Hall, McLennan, Coryell, Bosque, Navarro, Limestone, Freestone and Robertson.

The 4th District includes the Counties of Hill, Johnson, Ellis, Tarrant, Dallas, Collin, Denton, Cooke, Grayson, Fannin, Lamar, Hopkins, Hunt, Kaufman, Van Zandt and Henderson.

The 5th District includes the Counties of Red River, Bowie, Titus, Cass, Harrison, Panola, Rusk and Smith.

The 6th District includes the Counties of Shelby, San Augustine, Sabine, Nacogdoches, Angelina, Cherokee, Anderson, Houston, Trinity, Jasper, Newton, Jefferson, Orange, Tyler, Polk, and Liberty.

Every Person desirous of becoming a member of the Company in the District in which he resides, will be at the place of rendezvous in the District, at the time appointed, when an inspection, enrollment and organization of the Company will be made by a Person authorized for that purpose.

No one will be received unless he is able-bodied, supplied with a good

horse, suitable for an active campaign, a good rifle and a brace of pistols, or a Colts Revolver.

The Times and places of rendezvous will be as follows, viz:

For the 1st District, the town of Goliad, on the 20th of October next.

For the 2nd District - The town of Washington, on the 18th of October.

For the 3rd District. The town of Cameron, in Milam County, on the 18th of October.

For the 4th - District - The town of McKinney in Collin County, on the 16th of October.

For the 5th - District - The town of Tyler, in Smith County on the 16th - of October.

For the 6th District - The town of Nacogdoches, on the 16th of October.

In testimony whereof I have hereunto set my hand and caused the Great Seal of the State to be affixed. Done at the City of Austin, this the 18th - day of August A.D. 1854.

(L. S.)

E M Pease

By the Governor
Edward Clark
Secretary of State.

Executive Office
Austin Texas, 18th August 1854

Sir,

I have issued an order calling out six companies of mounted Volunteers as I advised you that I would in my letter of the 8th instant. These companies will be organized in different parts of the State, between the 16th - and 20th of October, and if my orders are carried out none will be received but those who are suited for the service, well mounted, equipped and armed.

It has occurred to me that it would be better to have these men mustered into the

service at this place, than on the remote frontier as you propose in your letter of the 29th. July. It will be convenient for most, if not all of these companies to pass by this place on their route to the frontier, and if they could be inspected and mustered here, any that are not properly mounted and armed, or not suitable for the service intended, might be turned off here, without much hardship to them, and their places supplied by others, which could not very well be done after their arrival at the frontier posts. Should you concur with me on this point and conclude to receive them into service at this place on the 1st of November, I would like to be advised of it as early convenient in order that I may give the necessary directions to assemble them here on the 1st of November.

Very respectfully
Your obt Servt
Ell Peace

To
Brevet Maj. General
Persifer F. Smith.

Executive Department
Austin, Texas, August 18th. 1854.

To the Executive Authority
of the State of Louisiana.

Whereas it appears by the annexed document, which is hereby certified to be authentic, that John W. Russell stands charged with the crime of Larceny, committed in the State of Texas, and information having been received that the said John W Russell has fled from justice and has taken refuge in the State of Louisiana—

Therefore, I, E. M. Pease, Governor of the State of Texas, have thought proper, in pursuance of the Constitution and Laws of the United States, to demand the surrender of the said John W Russell as a fugitive

from Justice, and that he be delivered to Irwin T. Crawford, who is hereby appointed the agent on the part of the State to receive said Russell.

Given under my hand and the Great Seal of the State affixed, at the City of Austin, this the 18th. day of August, A.D. One thousand eight hundred and fifty one, and of the Independence of the United States, the seventy ninth, and of Texas the nineteenth Year.

(L. S.)

E M Pease

By the Governor
Edward Clark
Secretary of State.

Proclamation

By the Governor of the State of Texas.

Whereas it appears by a properly authenticated Transcript of the Records of the District Court of Walker County in said State of Texas, that at the Trial in said District, at the Fall Term thereof A.D. 1849, of George A. Davis, charged with having committed murder upon the body of Edward W. Barlow, in said County of Walker in this State, on the 13th. day of March A.D. 1849, the said Davis was convicted of Murder in the second degree and sentenced to confinement at hard labor in the State Penitentiary for the term of three years:

And whereas it appears that said Davis escaped from the officers of the law without undergoing said punishment and is now within the limits of this State.

Now, Therefore, Be it Known that I, E. M. Pease, Governor of said State, by virtue of the authority vested in me by law, do hereby offer a reward of Two Hundred Dollars, for the apprehension of the said George A. Davis, and his delivery to the Sheriff of Walker County, or to the Keeper of the State Penitentiary in order that he may

suffer the punishment adjudged against him for said crime of murder.

In testimony whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State. Done at the City of Austin, this the 19th. day of August, A.D. 1854, and in the Year of the Independence of Texas the 19th.

L. S.

E M Pease

By the Governor
Edward Clark
Secretary of State.

Department of State
Austin, Texas, Aug. 21st. 1854.

To the Collector of
The Port of Galveston.

Sir,

I have just received Bill of Lading of 1 Box shipped from New-York, on board the Ship S. F. Austin, by Adams & Co. to the Governor of Texas, and sent to your care at Galveston.

You will please send said Box to C. H. Jordan Esqr. Port La Vaca to be forwarded to this place.

I have the honor to be
Very respectfully
Your obt Servt
Edward Clark
Secretary of State.

Proclamation

By the Governor of the State of Texas.

Whereas Joseph White is charged with having committed murder upon the body of Levi Barrow in the County of Liberty in this State on the 1st day of February A.D. 1854; and whereas it has been made known to me that the said White has fled from justice.

Now, therefore, be it known that I, E. M. Pease, Governor of said State, by virtue of the authority vested in me by law, do hereby offer a reward of Three Hundred Dollars, for the apprehension and delivery of said White to the Sheriff of Liberty County, in order that he may be dealt with according to law.

In testimony whereof I have hereunto set my hand and caused the Great Seal of the State to be affixed, at the City of Austin, this the 24th day of August A.D. 1854

(L. S.)

E M Pease

By the Governor
Edward Clark
Secretary of State.

Said White is about 27 years of age, about 5 feet 6 inches high, weighs about 160 pounds, is thick and heavy set, has black and curly hair, a very full and round face, and wore, when last seen, a very heavy, long, black beard, lisps when talking and has a round scar over one eye, occasioned from having a wen cut out.

"The State Gazette," "Galveston Civilian," and "The Nacogdoches Chronicle," are authorized and requested to publish the above Proclamation once weekly for four weeks each.

Proclamation

By the Governor of the State of Texas.

Whereas James R. Burns & James Burrel are charged with having committed murder upon the body of William Bird in the County of Austin of this State, on the 7th day of August A.D. 1854. and whereas it has been made known to me, that the said James R. Burns and James Burrel have fled from Justice—

Now, therefore, be it known that I E. M. Pease, Governor of said State, by virtue of the authority vested in me by law, do hereby offer a reward of Three Hundred dollars, for the apprehension and delivery of said Burns and Burrel, or One Hundred and Fifty for the apprehension and delivery of either of them, to the Sheriff of Austin County in order that they may be dealt with according to law.

In testimony whereof I have hereunto set my hand and caused the Great Seal of the State to be affixed—Done at the City of Austin, this the 26th day of August A.D. 1854, and of the Independence of Texas the 19th. Year.

E. M. Pease

By the Governor
Edward Clark
Secretary of State.

Jas. R. Burns is about 25 years of age about 5 feet, 8 inches high—slender built—fair skin—blue eyes—auburn hair, rather curly, has a scar in his forehead.

Jas Burrel is about 19 years of age—about 5 feet 7 inches high—heavy made—dark skin—bow legged—black hair—

"The State Gazette," "Texas Ranger," and, "San Antonio Ledger," are authorized and requested to publish the above Proclamation once weekly for four weeks—

Executive Department
Austin, Texas, August 31st 1854

To the Executive authority
Of the State of Mississippi.

Whereas, It appears by the annexed document, which is hereby certified to be authentic, that William Forrest, stands charged with the Crime of Murder, committed in the State of Texas, and information having been received that the said William Forrest has fled from justice, and taken refuge in the State of Mississippi.

Therefore, I, E. W. Pease, Governor of the State of Texas, have thought proper, in pursuance of the provisions of the Constitution and Laws of the United States, to demand the surrender of the said William Forrest, as a fugitive from justice, and that he be delivered to Philip S. Holt who is hereby appointed the agent on the part of the State to receive him.

Given under my hand and the Great Seal of the State affixed, at the City of Austin, this the 31st day of August A.D. One Thousand Eight Hundred and Fifty Four, and of the Independence of the United States, the Seventy Ninth, and of Texas the Nineteenth Year.

(L. S.)

E W Pease

By the Governor
Edward Clark
Secretary of State.

Executive Department.
Austin Texas August 31st 1854.

To the Executive Authority
of the State of Tennessee.

Whereas, it appears from the annexed document, which is hereby certified to be authentic, that William Forrest, stands charged with the crime of murder, committed in the State of Texas, and information having been received, that the said William Forrest has fled from justice, and taken refuge in the State of Tennessee

Therefore, I, E. M. Pease, Governor of the State of Texas, have thought proper, in pursuance of the Constitution and Laws of the United States, to demand the surrender of the said William Forrest, as a fugitive from justice, and that he be delivered to Philip S Hock who is hereby appointed the agent on the part of the State to receive him

Given under my hand
and the Great Seal of
the State affixed, at the
City of Austin, this the
31st day of August A.D.
One Thousand Eight Hun-
dred and Fifty-Four, and
of the Independence of
the United States the
Seventy Ninth, and of
Texas the Nineteenth year.

L. S.

E M Pease

By the Governor
Edward Clark
Secretary of State.

The State of Texas.

Whereas at the Spring Term for the year 1854 of the District Court of Shelby County in said State, Amtrose Henderson of said County was convicted of an assault with intent to kill, and sentenced to confinement to hard labor in the State Penitentiary for one year, and was also condemned to pay the costs of prosecution, which conviction, sentence and judgement was afterwards, on the 29th day of May 1854, affirmed by the Supreme Court of said State, with the costs of said Court; And whereas from representations made to me, I am induced to believe, that the true nature and character of the difficulty between the accused and the person injured were not fully proven on the trial, by reason whereof injustice may have been done to said Henderson by said Conviction and sentence—

Now, therefore, I, E. M. Pease, Governor of said State, by virtue of the authority vested in me by the Constitution and Laws of this State, have thought proper to pardon said Henderson, and do by these presents grant to said Henderson a pardon for said offence, so far as relates to his confinement to hard labor in the State Penitentiary for one year, leaving him still liable to pay the costs of the prosecution. And these presents shall be full authority for the District Court of Shelby County to discharge said Henderson from so much of said sentence and judgement as requires him to be confined in the State Penitentiary as aforesaid.

In Testimony whereof I have hereunto signed my name and caused the Great Seal of the State to be affixed. Done at the City of Austin, this the 31st day of August A.D. 1854, and in the year of the Independence of Texas the Nineteenth.

L. S.

E M Pease

By the Governor
Edward Clark
Secretary of State.

Contract between R. J. Walker, J. Butler King and others of the one part, and the State of Texas, by E. M. Pease Governor, of the other part, for the construction of "The Mississippi and Pacific Railroad," in accordance with the provisions of an act entitled "An act to provide for the construction of the Mississippi and Pacific Railroad," approved December 21st A.D. 1853.

Whereas by the provisions of an act of the Legislature of the State of Texas, entitled "An act to provide for the construction of the Mississippi and Pacific Railroad," approved December 21st 1853, the Governor of said State was required to advertize, inviting proposals, from companies and individuals, for the construction of said road, and to select from the proposals so made, that one, which in his judgement, under all the circumstances of the case, offered the strongest assurances and guarantees, that the road would be promptly and substantially built in its whole length, according to the provisions of said act, and to enter into contract for the construction of the same; and whereas the said Governor did advertize as aforesaid, and from the proposals received, did select that presented by R. J. Walker, J. Butler King, M. T. Johnson, J. A. Greer, W. C. Lacy, S. A. Maverick, Geo Hancock, John Hancock, Jas H Raymond, James B. Shaw, Wm H Bonland, H. P. Bee, John W. Harris Matt Ward, Leonard Randall, J. Pinckney Henderson and E. B. Nichols. Now therefore, this agreement made and entered into at the city of Austin State of Texas, this the thirty first day of August in the year of our Lord one thousand eight hundred and fifty four, by and between the said R. J. Walker, J. Butler King, M. T. Johnson, J. A. Greer, W. C. Lacy, S. A. Maverick, Geo Hancock, John Hancock, Jas. H. Raymond, James B Shaw, Wm H. Bonland, H. P. Bee, John W Harris, Matt Ward, Leonard Randall, J. Pinckney Henderson, and E. B. Nichols of the first part, and the State of Texas, represented by E. M. Pease, Governor thereof, of the second part. Witnesseth: That the said parties of the first part undertake and agree to construct a railroad from some point

on the eastern boundary line of the State of Texas, not north of the Town of Fulton in the State of Arkansas, to a suitable point on the Rio Grande, at or near the Town of El Paso, crossing the Trinity, Brazos, and Colorado Rivers as near the thirty second degree of north latitude as practicable. The said road to be constructed throughout, in a thorough, substantial and workmanlike manner, with all necessary drains, culverts, bridges, viaducts, crossings, turnouts, sidings, stations, watering places and all other appurtenances, including equipments of locomotives of sufficient speed and capacity commodious and comfortable passenger cars, and freight cars adapted to the business to be done, and equal in all respects and at all times, to a road of the first class when thoroughly organized for business; to be under the constant supervision of a sufficient number of skilful engineers, to be employed by the directors of said road; the rails to be of the best quality, weighing not less than sixty four pounds to the yard; the width of the track or guage of said road to be five feet and six inches; fifty miles of said road to be finished and put in complete operation within eighteen months after this contract is signed, and at least one hundred miles thereof to be finished and put in operation in like manner, every year thereafter, until the whole shall be completed.

The said parties of the first part, further undertake and agree, that after they shall have commenced receiving toll on any section of fifty miles of said road, they will at all times have the same in good repair, and a sufficient number of suitable carriages and vehicles for the transportation of persons and property.

The said parties of the first part further undertake and agree, that within sixty days after this contract is signed, they will deposit with the Treasurer of the State of Texas, three hundred thousand dollars in gold or silver, or evidences of debt of the State of Texas, or other good par stocks, as a guarantee that fifty miles or more of said road shall be constructed and in complete order for business within the term of eighteen months from the date of this contract, and that if evidences of debt of the State of Texas or other good par stocks are deposited, they shall be transferred and assigned to the Governor of the said State,

for the time being, and his successors in office in trust, said transfer and assignment to be made in the manner required by the laws, rules and regulations governing the transfer and assignment thereof, so as to vest the title of the same in the said Governor, for the time being, and his successors in office in trust, and if fifty miles or more of said road shall be constructed and in complete order for business according to the terms of this contract, within said term of eighteen months, then the said Governor, or his successor in office, shall cause the said gold or silver, evidences of debt of the State of Texas, or other good par stocks to be returned to said parties and transferred and assigned to them; but in case of a failure to construct and put in complete order for business, according to the terms of this contract, fifty miles of said road within said term of eighteen months, then said gold and silver, evidences of debt of the State of Texas, or other good par stocks, shall be forfeited to and become the property of the said State, and the said Governor, or his successor in office, shall assign, transfer and deliver the same to said State.

And the said parties of the first part further undertake and agree, that in case they fail to deposit said gold or silver, or fail to deposit said evidences of debt of the State of Texas, or other good par stocks, and transfer and assign them to the Governor of said State, for the time being, and his successors in office in the time and manner and for the purposes hereinbefore stated, then this contract shall be null and void, and the said Governor or his successor in office shall be at liberty to enter into another contract.

The said parties of the first part further undertake and agree, that if they fail, at any time, to construct any part of said road and have it in complete order for business within the time specified in this contract, then this contract with all its powers, privileges and immunities, together with such parts of the road as may have been constructed, with all its

machinery and appurtenances shall be forfeited to and become the property of the State of Texas, reserving however, to said parties of the first part the right to prosecute and defend all suits and rights, or liabilities which may have accrued or been incurred prior to such forfeiture.

The said party of the second part undertakes and agrees, that the said parties of the first part, their associates and successors, and those who may become stockholders in said company, shall be and are hereby declared to be a body politic and corporate, for and during the term of ninety nine years, by the name and style of the Mississippi and Pacific Railroad Company, and under that name capable of suing and being sued, impleading and being impleaded in law and equity, in all courts and places whatsoever, in like manner and as fully as natural persons, and by said corporate name and style shall be capable in law of contracting and being contracted with; shall have the power of acquiring by purchase, donation or otherwise, real and personal estate, holding and conveying the same; and all other powers, immunities, rights and privileges necessary to carry into full effect the provisions of the act to provide for the construction of the Mississippi and Pacific railroad, approved 1st December 1853

The said party of the second part, further undertakes and agrees, that the said corporation shall be and is authorized and empowered to survey, locate, construct, complete, alter, maintain and operate a railroad, with one or more tracks or lines of rails, from a point on the eastern boundary line of the State of Texas not north of the town of Fulton in the State of Arkansas, to a suitable point on the Rio Grande, at or near the town of El Paso, crossing the Trinity, Brazos and Colorado Rivers as near the thirty second degree of north latitude as practicable; and for the purpose of effecting the desirable and national object of constructing a continuous and national railway from the Mississippi River to the Pacific Ocean, said corporation is hereby authorized to form connections and enter into agreements with such other com-

panies as they may see fit, and where such companies are so united by agreements properly entered into and recorded in the office of the Secretary of State of this State, they shall be regarded as one corporation, with all the rights, immunities and privileges necessary to accomplish the object, not inconsistent with the Constitution and laws of the United States, and of this State or any of the States through which said road may be constructed: That the capital stock of the said corporation shall be twenty millions of dollars, which may be increased from time to time to any sum not exceeding the entire amount expended on account of said road, divided into shares of one hundred dollars each, which shall be deemed personal property, and may be subscribed for, issued and transferred in such manner and at such times and places as may be prescribed in the by laws of said corporation. That the said parties of the first part shall have power to organize said corporation, by calling a meeting of the stockholders, at such time and place as they may deem expedient, to elect a board of directors to consist of not exceeding fifteen members, one of whom shall be chosen by the directors to act as President, and said directors, so elected, shall have power to appoint such other officers and agents as they may think proper, and to adopt such by laws as may be necessary not inconsistent with the Constitution of the United States, nor the Constitution and laws of the State of Texas, a copy of which shall be filed with the Secretary of State, and published in at least three newspapers in this State; to provide for the meetings of the board of directors; appoint and dismiss officers and agents; regulate the manner of the voting of stockholders; direct the manner in which shares shall be sold, transferred or forfeited; to establish from time to time rates and charges for the transportation of freight and passengers; to make, have and use a common seal,

and alter the same at pleasure; issue bonds of not less than five hundred nor more than one thousand dollars, to borrow money upon the bonds of the corporation or otherwise, for the purpose of constructing said road, with power to mortgage the same to secure the payment of said bonds and loans with the interest thereon; provided, that at the first election of directors as herein provided, the directors shall regulate the manner in which stockholders shall vote.

That said corporation may construct its road over or across any stream or body of water, road, highway, or across any other railroad, and through any lands owned by individuals or corporations, and in all cases where lands belonging to individuals or corporations shall be taken by said company, it shall be lawful for the owner, or agent of such person or corporation, to appear before the District Court of the County, where such lands are situate, when the damages claimed amount to one hundred dollars or more, or before the nearest Justice of the Peace, when the damages are one hundred dollars or less; and said suit shall proceed and be conducted according to the laws in force regulating proceedings in the District Court and in Justices Courts, as the case may be, and the question of damages shall be tried by a jury sworn and empannelled as usual in said Court, to assess the damages caused by taking such lands; and said jury in rendering their verdict shall take into consideration whether the (enhanced value of the) residue of the land belonging to such person or corporation has not been, by means of said road, increased in amount, equal to the damages sustained, and if so, they shall render a verdict in favor of said company, otherwise against it, for the amount of damages, which he, she or they may have sustained; provided that in no case shall said Company be bound to pay costs, if it satisfactorily proves that an amount, equal to the damages assessed by the jury, was tendered to the party suing before the institution of the suit, and the payment of such damages, before or after judgement, shall operate as to vest in said Company a full and complete title to such land, not exceeding three hundred feet in width.

The said party of the second part hereby undertakes and agrees, that a right of way, not exceeding three hundred feet in width, be and the same is hereby set apart and granted along the entire length of said road, through the public lands of the State of Texas, to be held and enjoyed for the use and purposes of said road forever, and that all earth, stone, timber and other material, of whatsoever character and description on the public lands, so long as they shall remain the property of the State, in the vicinity of said road, be and the same are hereby made subject to the uses and purposes of said road, as well in the construction thereof, as in supplying the same with the necessary furniture and machinery, to be made available as occasion may require, by those employed in the construction, management or working of said road, provided, that said company shall not be allowed to use any timber which may be upon the alternate sections reserved to the State, except upon the three hundred feet granted as the right of way, after the completion of the road.

The said party of the second part further undertakes and agrees, that all the vacant and unappropriated public lands belonging to the State of Texas, east of the one hundred and third parallel of longitude west from Greenwich, and embraced between the thirty first and thirty third parallels of north latitude, and all of the vacant and unappropriated lands belonging to the State east of the one hundred and third parallel of longitude west of Greenwich and embraced between the parallels of thirty degrees and thirty minutes, and thirty degrees of north latitude shall be and the same is hereby held in reserve by the State, until the land of said road is located by said company, from time to time, after which time, they shall be held in reserve by the State, east of the said road and the alternate lands remaining to said State, lying within thirty miles on each

side of said road, until the same is surveyed and located in accordance with the provisions of this contract, with the understanding and agreement, that this reservation shall not be so construed as to effect any right of location or entry, preemption right or survey acquired in said district of country, here reserved, previous to the passage of the act to provide for the construction of the Mississippi and Pacific railroad

The said parties of the first part further undertake and agree, that as soon as the tracts shall be selected, they will cause the vacant and unappropriated lands, for thirty miles on each side of said road, to be surveyed into sections of six hundred and forty acres each, which said surveys shall be made in a square, and those adjoining said road shall front one mile thereon and no more unless prevented by surveys made previous to the passage of the act to provide for the construction of the Mississippi and Pacific railroad. It is understood and agreed by and between the said parties of the first and second part, that the said parties of the first part shall, within two and a half years from the date of this contract, have the tract of said road selected and surveyed from its eastern terminus as far west as the one hundreth degree of longitude west from Greenwich, and a map thereof filed in the General Land Office of this state, showing said tract so plainly that it can be identified and found upon the ground, and also that said tract shall be selected and surveyed as far west as the crossing of the river Pecos, and a map thereof filed in like manner within three and one half years from the date of this contract, and also that said tract shall be selected and surveyed as far as the Rio Grande, and a map thereof filed in like manner within four and a half years from the date of this contract, and in case of a failure to make such selection and survey and to file such maps for either of said three sections within the time specified, the legislature of said state shall have the right to dispose and throw open to location, all the land in said section which is herein reserved, excepting only thirty miles in width on each side of the thirty second parallel

of north latitude.

The said party of the second part further undertakes and agrees, that as soon as said corporation shall have completed fifty miles of said road and put the same in complete order for business in accordance with this contract, it shall be authorized to select and designate, to the Governor of said State, an amount of land, to be taken in alternate sections, within said reservation, so that no two sections, so selected, shall join each other except at one corner, equal to twenty sections of six hundred and forty acres each, for every mile of road so finished and put in complete order for business. Which lands so selected and designated to the Governor, shall be patented to said corporation or their assigns free of all costs; and the said corporation shall have the right in like manner to select and have patented, within said reservation, twenty sections of six hundred and forty acres each, per mile, for each and every other section of one hundred miles of said road, until the whole shall have been finished, and if there shall not be a sufficient amount of vacant and unappropriated land belonging to the State, within thirty miles on each side of said road, to satisfy the amount of land to which said corporation may be entitled by virtue of a compliance with the provisions of this contract, then the Governor of said State shall cause to be issued, by the commissioner of the General Land Office, to said corporation, certificates for six hundred and forty acres of land each for the balance said corporation may be entitled to, which may be located upon any other vacant and unappropriated land belonging to said State, in such manner that no two sections shall join, except at one corner, at the proper cost and charges of said corporation, or their assigns, which shall be patented to said corporation as other lands, with the understanding that said last named certificates shall not be located upon any alternate sections reserved to the State.

The said parties of the first part further undertake and agree, that the lands which may be obtained by virtue of this contract shall be alienated by said corporation as follows, viz; one fourth in six years, one fourth in eight years, one fourth in ten years, and one fourth in twelve years after the same shall have been selected and located by said corporation, and that all other lands and real estate acquired by said corporation, either by purchase, donation or otherwise, except so far as the same may be necessary to the maintenance and running of said road, shall be alienated in like manner as herein before stated, and if said corporation shall fail to alienate its lands and real estate as herein provided for, and give the evidences of such alienation with the Secretary of State, then the Comptroller of Public Accounts of this State, shall have the right, at any time after any of such lands or real estate shall have been alienated, to advertise the same for sale, for sixty days in the newspaper published at the capitol of this State, and sell the same at public auction, and after deducting therefrom all the necessary expenses of said sale, he shall deposit the residue of the proceeds of the sale with the Treasurer of this State to the credit of said corporation.

It is further understood and agreed by the parties hereto, that the transfer and assignment of the evidences of debt of the State of Texas, or other good par stocks to the Governor of said State for the time being, and his successors in office herein provided for, shall be made before, or shall accompany said evidences of debt or other good par stocks when they are deposited with the Treasurer of said State, and that such transfer and assignment shall also be duly authenticated.

It is further understood and agreed, that any powers or privileges that said corporation is legally entitled to, and any duties, liabilities or provisions that it is legally subject to, not named in this contract, shall be as binding and obligatory upon the parties hereto, as if the same were herein specifically stated and set forth.

In testimony whereof the said parties

hereto affix their names and affix their seals, on the day, month and year first herein written, the said parties of the first part using seals for seal, and the said party of the second part using the State seal, August thirty first, in the year of our Lord one thousand eight hundred and fifty four.

R J Walker	L.S	Geo Hancock	L.S.
J Butler King	L.S	Thos Hancock	L.S.
M T. Johnson	L.S	Jas A Maynard	L.S.
J. A. Greer	L.S	James H Shaw	L.S.
H C Lacy	L.S.	Wm S Rholand	L.S.
Sam'l A Maverick	L.S.	A P Wee Wm A Greer Atty in fact.	L.S.
Signed, sealed and delivered in presence of		John H Harris	L.S.
Thos J Jennings Atty: General		Matt Ward	L.S
Edward Clark Secretary of State.		Leonard Randall	L.S
		Pinckney Henderson	L.S.
		E. B. Nicholls	L.S.

The State of Texas
By E. M. Pease
Governor.

By the Governor
Edward Clark
Secretary of State.

1854.
September.

Executive Department
Austin, Texas, Sept. 5th. 1854.

Henry Beaumont Esqr
Dear Sir.

I received, some time since, a petition signed by yourself and others, for the appointment of Capt John Williams as a Branch Pilot for Matagorda and Lavacca Bays.

After a careful examination of the laws of this State respecting Pilots, I am satisfied that they relate only to pilotage from and to the sea, over the outer bar, and that they give the Governor no authority to appoint Pilots for the Bay. The Bay Pilotage is a matter that is not regulated by law but is left entirely to individual enterprise and competition.

I have delayed answering the petition until I could consult the Attorney General and obtain his opinion on this subject, which I have now done, and he concurs with me in the opinion expressed in this letter.

Yours with respect,
E M Pease

Executive Department
Austin, Texas, Sept. 11. th. 1854

Judge W W Morris.
Dear Sir,

Your letter of the 30th ult was received by the last mail.

Agreeably to your request I have examined Art 1616 of Hartleys Digest, and am inclined to think it has not been in force since the adoption of our State constitution. In this opinion the Attorney General concurs with me.

I most cheerfully grant you leave of absence from the State during next Winter, not to interfere with the regular times of your Courts, if I have the right to do it, and should it be considered that the Article referred to is in force, you will see that this is specially granted under its provisions

Respectfully yours
E M Pease

Executive Department,
Austin, Texas, Sept. 11th. 1854.

L. T. Price Esqr
Dear Sir.

I received this morning your letter of the 8th inst, together with the petition of sundry citizens, and of the jury, for the pardon of W. T. Wilkford. I have made it an invariable rule, in all such cases, to require a statement of the facts proved on the trial, and also a certificate from the Judge who presided, stating his opinion of the case, and without these I cannot act definitely upon the petitions.

I am aware that cases often occur, in which the true nature and character of the difficulty between the parties is not fairly presented to the jury, at the trial, on account of the fact, that the principal testimony comes from the party injured, and where there is reason to believe, either from the character of the witness, or from the manner in which the evidence is given, that the whole case has not been fairly presented to the jury, I am always willing to interfere and prevent the possibility of injustice being done. But in cases where a pardon is asked for, solely on the ground of sympathy for the accused or his family, I have felt it my duty to refuse to grant it, although it is always painful for me to do so. I do not say that the present case is one of the latter class. Of this I will form my opinion, when a statement of the facts proved on the trial, properly made up and certified, and also the certificate of the Judge giving his opinion of the case, are presented to me.

Yours with respect.
E. M. Pease

Proclamation.

By the Governor of the State of Texas.

Whereas J. S. Nethery is charged with having committed murder upon the body of John Duncan in the county of Gonzales of this State, on the 3rd day of July A.D. 1854; and whereas it has been made known to me that said Nethery has fled from justice.

Now therefore be it known, that, I, E. M. Pease, Governor of said State, by virtue of the authority vested in me, do hereby offer a reward of three hundred dollars for the apprehension and delivery of said Nethery to the Sheriff of Gonzales County, in order that he may be dealt with according to law.

In testimony whereof I have hereunto set my hand, and caused the Great Seal of the state to be affixed.

(L S)

Done at the city of Austin this the 12th day of September A.D. 1854.

E M Pease

By the Governor

Edward Clark

Secretary of State.

"The Gonzales Inquirer," "State Gazette," and "Marshall Meridian", were requested and authorized to publish the above Proclamation weekly for four weeks.

Department of State
Austin, Texas Sept. 12. 1854.

Hon Edw Bellinger
Gonzales.

Dear Sir.

I send you herewith the Proclamation of the Governor, offering a reward for the apprehension of Nethery. I leave the time of its publication with yourself and others who know more of the circumstances of the case than is therein here. When you make public the Proclamation, should you consider it necessary to do so at all, give it to your County paper, with instructions to publish four weeks. Please notify me also of the publication.

To the good, quiet, honest law-abiding citizen, the extent to which the crime of murder has attained in the State is truly distressing, and I agree with you that it is our duty to employ every means in our power to suppress it. I sincerely hope that the offender in this instance, as well as every other who has contributed a single drop to the tide of blood which has been sweeping over the country for several months, tarnishing our character and causing the voice of woe and of lamentation in the land may be brought to pay the penalty of their misdeeds.

I have the honor to be
Very respectfully
Your obt Servt.
Edward Clark
Secretary of State.

Executive Department.
Austin, Texas, Sept. 21st. 1854

Maj Samuel Bogart.
Sir,

You are hereby appointed to inspect and enroll the volunteers who may present themselves at McKinney, from the Counties hereafter named, under the Proclamation issued from this Office on the 18th. day of August last, and organize them into a company by causing an election to be held for the officers thereof.

The company is to consist of one Captain, one 1st Lieut. one 2nd Lieut. four Sergeants, four Corporals, two buglers, one farrier and blacksmith, and seventy four privates, making eighty eight in all.

Each commissioned officer must be armed with a sabre, and two belt, or holster pistols, or one revolver, (Army pattern). Each other member of the company must be armed with two belt, or holster pistols, or one revolver, and one rifle or double barrel gun.

Each member of the company must be an able bodied man, and such an one as in your opinion will make a good soldier. must have a good horse suitable for active service, and be properly equipped.

You are authorized to receive the two buglers and the one farrier and blacksmith from any County in the District, taking care to select those well qualified for the service.

In making up the residue of the company, which will take eighty five men, you will receive from the County of Hill 2; Johnson 2; Ellis 8; Warrant 5; Dallas 8; Collin 8; Denton 4; Cooke 2; Grayson 7; Hunain 8; Lamar 9; Hopkins 8; Hunt 7; Kaufman 4; Van Zandt 5 and Henderson 5.

After you shall have ascertained by an inspection, how many there are present that meet the requirements of these instructions, should it appear that there is a greater number from any of said Counties than is assigned to it, you will draft from them the number to which the County is entitled. Should there be none; or a less number from any County than is allotted to it, you will

make up the deficiency from the other counties, taking care to give to each county that is represented its fair proportion, as far as practicable.

It has been suggested to me that those wishing to volunteer from some of the counties, may perhaps meet and agree among themselves who shall go to McKinney. Should it appear to you that any such agreement has been made in any county, you will carry it out so far as relates to persons who have consented to it, provided those agreed upon, shall, in your opinion meet the requirements of these instructions.

You will commence the duty here assigned to you, at McKinney, on the 16th of October and complete it in time for the company to reach this place by the first of November, at which time it will be mustered into the service of the United States.

The members of the company will provide themselves with forage and subsistence until they are mustered at this place, for which they will receive an allowance from the United States.

When the company shall have been organized, you will direct the commanding officer to repair to this place with his company and report to me by the first of November.

You will please transmit to this office, by the commanding officer, a report of your proceedings with a muster roll certified by you.

I deem it unnecessary to enlarge upon the importance of the duty assigned to you, further than to say that upon its proper exercise will depend the character and efficiency of the company that is to be raised in your district

Very respectfully
Your ob't servt
E M Pease

Department of State
Austin, Texas, Sept. 22nd 1854

Messrs Heart & Labor
Charleston.

Gentlemen,

Herewith you have a draft upon New York for the amount of your account for publishing Railroad advertisements of Governor Pease, less the cost of the draft. I would have sent a draft upon your city but could not procure one.

You will see that the charge for Telegraphic messages is not included. The Governor supposes the cost of Telegraphic service owned by the amount paid Messrs McDowell Mills & Co. of New Orleans, through whom the communications were made. If this conclusion is correct, Messrs McD, M & Co are the parties to whom you will look for the refunding of the amount paid Telegraph. We do not understand the connection of the New Orleans Picayune with the matter. This business can be easily explained however, and we desire to have it properly and fairly settled.

I am very respectfully
Your obt Servt
Edward Clark
Secy of State

Department of State.
Austin, Texas, Sept. 23rd - 1854.

Warren L Thomas Esqr
La Vacca.

Dear Sir.

Your letter of the 7th inst reached this office a day or two ago. I would have answered it sooner, but have much to do and no one to assist me.

You have, I believe, a commission as Notary Public for Cachoma County. I don't know what evidence, stronger than that commission, can be

adduced of your appointment to that office. To remove the objection of the Chief Justice, that there were seven instead of six Notarys appointed for the county, Mr Brown, it seems, resigned. For the reasons which, I understand, induced this action on the part of Mr Brown, his course is very commendable. But if I am correctly informed, it was not necessary for Mr Brown to have resigned - in fact he held no office under the State then to resign. He had, I am told, accepted an office under the General Government, and if so his office of Notary Public became vacant. But be this as it may, he was not nominated to the Senate after his appointment as the Constitution requires, and in consequence on the close of the Session his term of office expired. I do not mention these things in depreciation of Mr Brown's course in resigning, or in condemnation of the Chief Justice, but merely to shew, if I am not deceived as to the facts, that at the time of your appointment, there were but five Notarys in your County, and of course the objection of the over number was not tenable.

I will forward to the Chief Justice proper notice of your appointment.

I am, very respectfully
Your obt Servt
Edward Clark
Secretary of State.

Executive Department
Austin, Texas, Sept. 23rd. 1852.

Thomas M. Liken Esqr.
Sir.

You are hereby appointed to inspect and enroll the volunteers who may present themselves at Tyler in Smith County, from the Counties hereinafter named, under the Proclamation issued from this Office on the 18th day of August last, and organize them into a company by causing an election to be held for the officers thereof.

The company to consist of one Captain - one 1st Lieutenant - one 2nd. Lieut - four Sergeants, four corporals, two buglers, one farrier and blacksmith and seventy four privates, making eighty eight in all.

Each commissioned officer must be armed with a sabre and two belt or holster pistols, or one revolver, (army pattern,) - Each other member of the company must be armed with two belt or holster pistols, or one revolver, and one rifle, or double barrel gun.

Each member of the company must be an able-bodied man, and such an one as, in your opinion, will make a good soldier - must have a good horse, suitable for active service, and be properly equipped.

You are authorized to receive the two buglers, and the one farrier and blacksmith from any County in the District, taking care to select those were qualified for the service.

In making up the residue of the company which will take eighty five men, you will receive from the County of Red River 8. Bowie 5. Lamar 8. Cass 7. Wood 3. Upshur 7. Harrison 12. Panola 7. Rusk 11. and Smith 10.

After you shall have ascertained by an inspection, how many there are present that meet the requirements of these instructions, should it appear that there is a greater number from any of said Counties than is assigned to it, you will draft from them the number to which the County is entitled, should there be one or a less number from any County than is assigned to it, you will make up the deficiency from the other Counties, taking care to give to each County that is represented, its fair proportion as far as practicable.

It has been suggested to me that those wishing to volunteer from some of the counties, may perhaps meet and agree among themselves who shall go to Tyler. Should it appear to you that any such arrangement has been made in any county, you will carry it out so far as relates to persons who have consented to it, provided those agreed upon shall, in your opinion, meet the requirements of these instructions.

You will commence the duty here assigned you at Tyler on the 16th of October, and complete it in time for the company to reach this place by the first of November, at which time it will be mustered into the service of the United States.

When the company shall have been organized, ~~this~~ you will direct the commanding officer to repair to this place with his company and report to me by the first of November.

The members of the company will provide themselves with forage and subsistence until they are mustered at this place, for which they will receive an allowance from the United States.

You will please transmit to this office by the commanding officer, a report of your proceedings, with a muster roll certified by you.

I deem it unnecessary to enlarge upon the importance of the duty assigned to you, further than to say, that upon its proper exercise will depend the character and efficiency of the company that is to be raised in your district.

Very respectfully
Your obt. Svt.
Ed Pease

Executive Department.
Austin, Texas. September 25rd. 1854.

Sir.

I have the honor to acknowledge the receipt, this day, of your letter of the 29th. August, in which you state that, "it has been deemed proper to apprise him, (Genl Smith,) that the Department disapproves the conditional requisition which he made for troops," in his letter to me of the 29th. July last.

In my reply to the letter of Genl Smith containing that conditional requisition, I stated, that I believed an addition to the troops now in service in this State, was necessary to produce a feeling of security with the inhabitants residing on and near the frontier, and that this belief was based upon a knowledge of the many murders and outrages that had been committed by the Indians within the last six months, showing that actual hostilities had existed for that period of time, and I might have added, with propriety, a fact notorious here, that there was, "imminent danger," of actual hostilities and incursions being renewed, every day, for the northern Comanches and several other Tribes are and have been at open war with the citizens of this State for many years, and scarcely a month passes without their making incursions into this State.

Upon the receipt of this letter by Genl Smith, he sent me, on the 20th. of August, an unconditional requisition for six companies of mounted men, from the militia of this State, to be mustered into the service of the United States, on the first day of November next, for twelve months, unless sooner discharged. Under this requisition I have made a call for volunteers, and the companies are now being raised and will be ready to be mustered into the service of the United States at the time designated.

I trust that this last requisition of Genl Smith will be approved by you, for I feel certain, that without this addition to the troops now on service in this State, the lives and property of our frontier citizens are in imminent danger of being sacrificed. We have a frontier of many hundred miles, extending from Red River to the Lower Rio Grande, which is constantly exposed to the depredations of hostile Indian Tribes, who make fre-

quent incursions into our settlements, from which they never return without committing some murders and thefts.

The troops belonging to the regular army, now in service in this state, have never been able to pursue them with a sufficient number to chastise them — they have either been forced to abandon the pursuit without overtaking them, or, as was the case with the small party under Captain Van Buren, have been defeated with the loss of many valuable lives. These results have emboldened these tribes until they now feel very certain of escaping unpunished.

While on this subject, I deem it my duty to call your attention to the situation of the Indian tribes upon our northern border. The whole Comanche tribe, with the exception of one small band, called the Southern Comanches, are openly and avowedly hostile, and are continually on the war path, making incursions into this state, and passing through portions of it in going to and returning from Mexico. This tribe, with the exception of the small band before named, have no agent residing among them, and no control is exercised over them by the United States.

There is also a large number of renegades, from the various tribes residing in this state, who have congregated in the Indian Territory north of Red River, subject to no agency or control, professing friendship to the posts north of Red River, but frequently making hostile incursions into this state.

Besides these, many of the Kickapoos north of Red River, frequently come into this state, with permits from commanders of posts and Indian agents, ostensibly for the purpose of hunting, but they seldom return without committing some murders and thefts. Most of the murders and depredations on our frontier have been committed by the Indians here described, and hardly an instance has come to my knowledge in which

They have been punished.

Occasional thefts have been committed by the small parties residing in this State, and professing friendship to our citizens, when they have been permitted to leave the neighborhood of the posts, but, if the policy of settling these tribes upon reservations, that the United States is authorized to select for them, is carried out, and they are compelled to reside on these reservations, I do not apprehend any further difficulty from them.

In regard to the hostile tribes named in this letter, an experience of several years has shown that it is idle to expect that their incursions can be restrained by the discipline of troops now in service in this State. To effect this, it is necessary that a mounted force should be stationed upon our frontier, sufficient to range from Red River to the lower Rio Grande and ~~anticipate~~ intercept them whenever they attempt to perpetrate our settlements, or they must be collected within certain defined limits, placed under the control of agents who are supported by a military force, sufficient to compel them to remain there, and must be furnished by the Government with the means of living, until they are taught to support themselves by agriculture.

I am satisfied that unless the United States Government acts upon these suggestions, the frontiers of this State will continue to be annoyed by these Indians for years to come.

I have the honor to be
Very respectfully
Your obt Servt
E M Rusk

Hon Jefferson Davis
Secy of War.

Executive Department,
Austin, Texas, Sept. 28th. 1854.

Col. H. M. W. Upshaw.

Sir.

You are hereby appointed to inspect and muster the volunteers who may present themselves at Washington from the counties hereafter named under the Proclamation issued from this office on the 18th day of August last, and organize them into a company by causing an election to be held for the officers thereof.

The company is to consist of one Captain - One 1st Lieut - One 2nd Lieut - four Sergeants - four corporals - two buglers - one farrier and blacksmith, and seventy four privates making Eight, Eight in all.

Each commissioned officer must be armed with a sabre, and two belt or holster pistols, or one revolver, Army pattern, each other member of the company must be armed with two belt or holster pistols, or one revolver, and one rifle or double barrel gun.

Each member of the Company must be an able bodied man, and such an one, as, in your opinion, will make a good Soldier; must have a good horse suitable for active service and be well equipped.

You are authorized to receive the two buglers, and the one farrier and blacksmith from any county in the district, taking care to select those well qualified for the service

In making up the residue of the company which will require eighty five men, you will receive from the County of Matagorda 3 - Wharton 2 - Colorado 4 - Austin 6 - Fort Bend 3 - Brazoria 5 - Galveston 8 - Harris 10 - Montgomery 4 - Walker 6 - Madison 2 - Leon 6 - Brazos 2 - Grimes 7 - Burleson 5 - and Washington 12.

After you shall have ascertained by inspection, how many there are present that meet the requirements of these instructions, should it appear that there is a greater number from any of said Counties than is assigned to it, you will draft from them

the number to which the County is entitled. Should there be none, or a less number from any county than is assigned to it, you will make up the deficiency from other counties, taking care to give to each County that is represented its fair proportion as far as practicable.

It has been suggested to me that those wishing to volunteer from some of the Counties, may perhaps meet and agree among themselves, who shall go to Washington. Should it appear to you that any such agreement has been made in any County, you will carry it out so far as relates to persons who have consented to it, provided those agreed upon, shall in your opinion meet the requirements of these instructions.

You will commence the duty here assigned to you at Washington on the 18th of October, and complete it in time for the company to reach this place by the 1st of November, at which time it will be mustered into the service of the United States.

The members of the company will provide themselves with forage and subsistence until they are mustered at this place, for which they will receive an allowance from the United States.

When the company shall have been organized, you will direct the commanding Officer to repair to this place with his company, and report to me by the first of November.

You will please transmit to this Office, by the commanding Officer, a report of your proceedings with a muster roll certified by you.

I deem it unnecessary to enlarge upon the importance of the duty assigned you, further than to say that upon its proper exercise will depend the character and efficiency of the company that is to be raised in your district.

Very respectfully
Your obt Servt.
Ell Rose

Executive Department,
Austin, Texas, Septr. 28th 1852.

Captain James R. Arnold

Sir,

You are hereby appointed to inspect and enroll the volunteers who may present themselves at Nacogdoches from the counties hereafter named, under the proclamation issued from this Office on the 18th. day of August last, and organize them into a company by causing an election to be held for the Officers thereof.

The company is to consist of one Captain one 1st Lieut one 2nd Lieut four sergeants, four corporals, two buglers, one farrier and blacksmith and seventy four privates, making eighty eight in all.

Each commissioned officer must be armed with a sabre, and two belt or holster pistols, or one revolver, (army pattern,) Each other member of the company must be armed with two belt or holster pistols, or one revolver, and one rifle or double barrel gun.

Each member of the company must be an able bodied man, and such an one as, in your opinion, will make a good soldier, must have a good horse, suitable for active service, and be properly equipped.

You are authorized to receive the two buglers, and the one farrier and blacksmith from any county in the District, taking care to select those well qualified for the service.

In making up the residue of the company, which will require eighty five men, you will receive from the County of Shelby 8. San Augustine 5. Sabine 5. Nacogdoches 10. Angelina 2. Cherokee 10. Anderson 9. Houston 6. Trinity 1. Jasper 3. Newton 3. Jefferson 2. Orange 2. Tyler 4. Polk 5. and Liberty 4.

After you shall have ascertained by an inspection, how many there are persons who meet the requirements of these instructions, should it appear that there is a greater number from any of said Counties, than is apli-

gned to it, you will draft from them the number to which the county is entitled. Should there be none, or a less number from any county than is assigned to it, you will make up the deficiency from the other counties, taking care to give to each county what is represented, its fair proportion as far as practicable.

It has been suggested to me, that those wishing to volunteer from some of the counties, may perhaps meet and agree among themselves who shall go to Nacogdoches. Should it appear to you that any such agreement has been made in any county, you will carry it out, so far as relates to persons who have consented to it, provided those agreed upon, shall in your opinion meet the requirements of these instructions.

You will commence the duty here assigned to you, at Nacogdoches on the 16th. of October, and complete it in time for the company to reach this place by the 1st. of November, at which time it will be mustered into the service of the United States

The members of the company will provide themselves with forage and subsistence until they are mustered at this place, for which they will receive an allowance from the United States.

When the company shall have been organized, you will direct the commanding officer to repair to this place with his company and report himself to me by the 1st. of November.

You will please transmit to this Office, by the commanding officer, a report of your proceedings, with a muster roll certified by you.

I deem it unnecessary to enlarge on the importance of the duty assigned to you, further than to say, that upon its proper exercise will depend the character and efficiency of the company that is to be raised in your district.

Very respectfully
Your Obt. Servt.
Ed Rusc

Executive Department
Austin, Texas, Sept. 28th. 1854.

Sir,

I received, about a week since, a letter from the Secretary of war, dated 29th. Aug last, in which he states, that, "it has been deemed proper to apprise you, that the Department disapproves the conditional requisition which you made for troops in your letter to me of the 29th. July last. I replied to him on the 23rd. inst. giving him the substance of my letter to you of the 8th. of August, and informed him that on your receipt of that letter, you had on the 20th. of of August sent me an unconditional requisition for six companies of mounted men from the militia of this State, to be mustered into the service of the united States for twelve months unless sooner discharged. That the companies were being raised under this last requisition and would be ready to be mustered at the time designated.

I also stated to him, that I hoped this last requisition of yours would be approved by him, for I believed the troops necessary to repel Indian incursions, and that without them there was imminent danger that the lives and property of our frontier citizens would be sacrificed.

I also stated to him the situation of the hostile Indian tribes on the northern border of this State, and my opinion in regard to the policy that should be pursued to protect the frontier of this State against their depredations.

I have thought it best to advise you of these matters, as I think it possible that my representations may have some influence in inducing the Secretary to sanction your requisition of the 20th. of August, if he should be disposed to disapprove of that also.

I have the honor to be
Very respectfully
Your obt. Servt.
Eli Reese

Brvt Maj Genl.
Persifer F. Smith.

1854.
October.

Executive Department
Austin Texas. October 6th. 1854.

I. E. M. Pease, Governor of said State, do hereby certify, that from an examination of the returns made according to law, to the Secretary of State, of the votes given for a Judge of the District Court of the first Judicial District of said State, at an election held, on the seventh day of August 1854, in the several Counties composing said District it appears that Nelson. A. Munger received the highest number of votes given for said Officer, and I hereby declare that said Nelson A Munger has been duly elected to said office.

In testimony whereof I have hereunto signed my name, and caused the Great Seal of the State to be affixed, at the City of Austin, this the 6th. day of October A.D. 1854, and of the Independence of Texas the 19th. Year.

(L. S.)

E M Pease

By the Governor
Edward Clark
Secretary of State.

Certificates of Election similar to the above were on the same day made out and dispatched, by mail, to Hon. Peter. W. Gray, elected Judge of the Seventh Judicial District and to Hon Fielding Jones elected in the tenth Judicial District.

Edward Clark
Secretary of State.

Executive Department
Austin, Texas, October 6th. 1854.

I. E. M. Pease, Governor of said State, do hereby certify, that from an examination of the returns made according to law, to the Secretary of State of the votes given, for District Attorney of the first Judicial District of said State, at an election held on the Seventh day of August 1854, in the several Counties composing said District, it appears John H. Wharton received the highest number of votes given for said office, and I hereby declare that said John H. Wharton has been duly elected to said office.

In testimony whereof I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the city of Austin this the sixth day of October A.D. 1854, and of the Independence of Texas the 19th. Year

E. M. Pease

L. S.

By the Governor
Edward Clark
Secretary of State.

A certificate similar to the above was made out on the same day and sent to, A. B. Chalmers elected District Attorney in the second, N. W. Battle in the third, F. Eagan, in the fourth, L. T. Casey in the fifth, S. P. Donley in the sixth, B. F. Smith in the eighth, Wm E. Barrow in the ninth, R. E. Williams in the tenth, D. G. Cosby in the eleventh and R. S. Gould in the twelfth each.

Edward Clark
Secretary of State.

Executive Department
Austin, Texas, October 11th. 1854.

James S. Pillett Esqr

Sir,

You are hereby appointed to enrol and inspect the volunteers who may present themselves at Cameron on the 18th. Inst. from the counties hereafter named, under the Proclamation issued from this Office on the 18th. day of August last, and to organize them into a company by causing an election to be held for the Officers thereof.

The company is to consist of one Captain - one 1st. Lieutenant - one 2nd Lieutenant - four Sergeants, four Corporals - two buglers - one farrier and blacksmith and Seventy four privates, making eighty eight in all.

Each commissioned Officer must be armed with a sabre, and two belt or holster pistols, or one revolver, (army pattern,) each other member of the company must be armed with two belt or holster pistols, or one revolver, and one rifle or double barrel gun.

Each member of the company must be an able bodied man, and such an one as, in your opinion, will make a good soldier, must have a good horse, suitable for active service, and be properly equipped.

You are authorized to receive the two buglers and the one farrier and blacksmith from any county in the district, taking care to select those well qualified for the service.

In making up the residue of the company, which will require eighty five men, you will receive from the County of Fayette ten - Bastrop eight, Caldwell six, Hays two, Travis eleven, Gillespie three, Burnett two, Bell five, Williamson six, Milam four, Falls three, McLennan four, Coryell two, Bosque two, Navarro six, Limestone three, Freestone five and Robertson three.

After you shall have ascertained by an inspection, how many there are present that meet the requirements of these instructions, should it appear that there is a greater number from any of said Counties than is assigned to it, you will draft from them the number to which the County is entitled. Should there be more, or a less number from any County than is assigned to it, you will make up the deficiency from the other Counties, taking

care to give to each section of the district that is represented, its fair proportion as far as practicable.

It has been suggested to me that those wishing to volunteer from some of the counties, may, perhaps, meet and agree among themselves who shall go to the place of rendezvous. Should it appear to you that such an agreement has been made in any county, you will carry it out, so far as relates to persons who have consented to it; provided, those agreed upon shall, in your opinion, meet the requirements of these instructions.

You will commence the duty here assigned you, at Cameron on the 18th inst. and complete it there or at any other place you may deem best, in time for the company to reach this place by the first of November, at which time it will be mustered into the service of the United States.

The members of the company will provide themselves with forage and subsistence until they are mustered at this place, for which they will receive an allowance from the United States.

When the company shall have been organized, you will direct the commanding officer to repair to this place with his company and report to me by the first of November.

You will transmit to this office a report of your proceedings, with a muster roll of the company certified by you.

I deem it unnecessary to enlarge upon the importance of the duty assigned to you, further than to say, that upon its proper exercise will depend the character and efficiency of the company to be raised in your district.

Very respectfully
Your obt Svt.
E M Pease

Executive Department
Austin, Texas, Oct. 12th. 1854.

John S. Ford Esqr,

Sir,

You are hereby appointed to inspect and enrol the volunteers who may present themselves at Eviad, on the 20th inst. from the Counties hereafter named, under the Proclamation issued from this Office on the 18th day of August last, and organize them into a Company by causing an election to be held for the officers thereof.

The company is to consist of one Captain, one 1st Lieut. one 2nd Lieut. four Sergeants, four corporals, two buglers, one farrier and blacksmith, and seventy four privates, eighty eight in all.

Each commissioned officer must be armed with a sabre and two belt or holster pistols, or one revolver, (army pattern;) each other member of the company must be armed with two belt or holster pistols, or one revolver, and one rifle or double barrel gun.

Each member of the company must be an able-bodied man, and such as one as, in your opinion, will make a good soldier; must have a good horse, suitable for active service, and must be properly equipped.

You are authorized to receive the two buglers and one farrier and blacksmith from any County in the district, taking care to select those well qualified for the service.

In making up the residue of the company, which will require eighty five men, you will receive from the County of Cameron 9, Hidalgo 3, Starr 6, Webb 3, Nueces 3, San Patricio 2, Refugio 2, Eviad 3, Karnes 2, Victoria 3, Calhoun 3, Jackson 2, La Vacca 4, De Witt 3, Gonzales 6, Guadalupe 5, Comal 5, Bexar 21, and Medina 3.

After you shall have ascertained by an inspection, how many there are present that meet the requirements of these instructions, should it appear that there is a greater number from any of said counties than is assigned to it, you will draft from them the number to which the County is entitled. Should there be none, or a less number from any County than is assigned to it, you will make

up the deficiency from the other counties, taking care to give to each section of the district, that is represented, its full portion, as far as practicable.

It has been suggested to me, that those wishing to volunteer from some of the counties, may perhaps, meet and agree among themselves who shall go to the place of rendezvous. Should it appear to you that any such arrangement has been made in any county, you will carry it out so far as relates to persons who have consented to it; Provided, those agreed upon, shall, in your opinion, meet the requirements of these instructions.

You will commence the duty here assigned to you at Joliet on the 20th. inst. and complete it in time for the company to reach this place by the first of November, at which time it will be mustered into the service of the United States.

The members of the company will provide themselves with forage and subsistence until they are mustered at this place, for which they will receive an allowance from the United States.

When the company shall have been organized, you will direct the commanding officer to repair to this place with his company and report to me by the first of November.

You will please transmit to this office by the commanding officer, a report of your proceedings with a muster roll certified by you.

I deem it unnecessary to enlarge upon the importance of the duty assigned to you, further than to say, that upon its proper exercise will depend the character and efficiency of the company that is to be raised in your district.

Very respectfully
Your obt Servt.
E M Pease

Executive Department
Austin, Texas, Oct. 25th. 1854.

W. L. Thomas Esqr.

Through Col Duval I was informed to day, that Judge Beaumont still refuses to receive your qualification as Notary Public for Calhoun County, and upon the ground that your commission was not sent to him. Col Duval suggested that I send you another commission, or letter of appointment, directed to the Chief Justice and thereby obviate the objection to your qualification, and at the time I consented to do so. Upon referring to the Register however, I find that your appointment was made by the Governor and Senate and that you have a commission. I think, therefore, the better and proper course would be for you to resign, and upon receiving notice of your resignation I will forward a letter of appointment for you to the Chief Justice. The Governor coincides in this opinion.

I have the honor to be
Very respectfully
your obt Svt.
Edward Clark
Sec. of State

Executive Department
Austin, Texas, October 30. th. 1854.

James H. Raymond Esqr.
Treasurer &c
Sir,

I received, this morning your letter of the 28th inst. in which you state that, "you have received from Messrs R. J. Walker, & J. B. King for themselves and their associates, contractors under the act of Decbr. 21st. 1853, to provide for the construction of the Mississippi and Pacific Railroad, three hundred thousand dollars, of shares, in the preferred stock of the Sussex Rrn Company of New Jersey." You also state that, "This stock has been placed in your office by the parties above named, contractors, as a

good deposit, for a guarantee, as provided under the 12th section of the act above named, that fifty miles or more of said road shall be constructed and in complete order for business within eighteen months from the date of their contract with the Governor of the State of Texas." You also state, that, "you enclose for my consideration the said certificate of stock together with the evidences of its par value."

You also state that, "In addition to the stock above named and enclosed, you also enclose to me two hundred and ninety eight thousand dollars of stock in the Mechanics Bank of Memphis, and two thousand dollars of stock of the State of New York, together with a list of papers in regard to these last named stocks." You also state that, "In sending to your office the Mechanics Bank of Memphis stock, they, (Messrs Hacker and King) state their purpose for so doing, in the following words. "You may receive and file that stock as additional to the Sussex Iron stock and to be held on the same conditions, and will please note the day of its being filed with you." "The two thousand dollars of New York State stock, they state is sent for the purpose of supplying the deficiency of the Bank stock to make the sum of three hundred thousand dollars," and in conclusion you say, "all of which is respectfully submitted."

It may be proper that I should here state, that all of these papers were submitted to me by you, and were returned to you, by me, with my verbal opinion, that they were insufficient to answer the purposes for which you state they were placed in your office, previous to the date of your letter, and previous to the time when I received it, and also that none of these papers are in fact now enclosed in your letter.

I propose now, in answer to your letter, to give my opinion in writing, in regard to these stocks, in order that there shall hereafter be no question in relation to the fact of my having declared them to be an insufficient deposit under the law referred to.

I understand from you that these gentlemen propose to deposit—

1st. A certificate for twenty four thousand shares of twelve dollars and fifty cents each in the preferred stock of the Sussex Iron Company of New Jersey, amounting to the sum of three hundred thousand dollars, issued to R. J. Walker and J Butler King dated October 3rd. 1854, and signed by Edwin Post President and E. A. Reeder Secretary.

2nd. That they propose to deposit as additional security, a certificate for eleven thousand nine hundred and twenty shares of twenty five dollars each, of the capital stock of the Mechanics Bank of Memphis in the state of Tennessee, amounting to the sum of two hundred and ninety eight thousand dollars, issued to E. W. M. King, dated June 1st 1854, and signed by E. W. M. King President, and Henry R. Pugh cashier, and also two certificates of New York State stock for one thousand dollars each, issued to Robert J. Walker and J Butler King, under the provisions of a law of that state, passed April 25th. 1840, making together the sum of three hundred thousand dollars.

The certificates of New York State stock are entirely acceptable, and such stock as the law authorizes to be received; but the other two certificates, viz; the preferred stock of the Sussex Iron Company, and the Mechanics Bank stock of Memphis, are neither of them such stocks as, in my opinion, the law requires to be deposited. The first and principal objection to these stocks is, that they are not the description of stocks the Legislature intended should be deposited. The 12th. section of the "act to provide for the construction of the Mississippi and Pacific Railroad," declares that the company shall deposit with the Treasurer of the State, at least three hundred thousand dollars in gold or silver, or evidences of debt of the State of Texas, or other good par stocks. I think it is perfectly clear that the Legislature intended by these words, "other good par stocks", evidences of debt of the United States, or of some state of the Union, or of some corporation—such stocks have an intrinsic value, because they must ultimately be redeemed in gold or silver. They could never have intended that this deposit might be made in the capital stock of a Bank or manufacturing company, which is merely the fund or property employed in the business of the corporation, and its value is dependent upon the fluctuations and

casualties of trade and may be entirely destroyed by misfortune, mismanagement or fraud of the directors and officers.

This view of the intention of the Legislature is rendered certain, by a careful examination of the act referred to, and the constitution of the State. The 12th. Section of said act provides, "That in case of a failure upon the part of the company, the money or stocks deposited, shall be forfeited to and become the property of the State." Now in order to render any kind of stock available to the State as a forfeiture, it must be assigned and transferred to the State, or to some person in trust for the State, and a provision was accordingly inserted in the contract, "That if evidences of debt of the State of Texas, or other good par stocks were deposited, they should be transferred and assigned to the Governor of the State of Texas for the time being, and his successors in office, in trust." The stocks here proposed to be deposited, are a portion of the capital stock, or fund and property employed in the business of private corporations, and the acceptance of an assignment of them, makes the assignee at once a part owner of the stock and property belonging to the corporations.

It will be recollected that article 7. section 31. of the State constitution provides that, "The State shall not be part owner of the stock or property belonging to any corporation." The State therefore, could never enforce a forfeiture of these stocks, because a forfeiture of them, to the State, could not take place, without the State becoming part owner of the stock and property belonging to these corporations; and this is absolutely prohibited by the provision of the constitution above quoted.

The Legislature that passed this law, must be presumed to have known the provisions of the Constitution, and to have legislated with a reference to them.

The word, "stock," as used in the 31st. section of the 7th. article of the constitution, means, the capital stock, which is the fund and property belonging to a corporation, and employed in its business.

The word, "stocks," as used in the 12th

section of the act to provide for the construction of the Mississippi and Pacific railroad, means, evidences of debt or certificates that the holder is the owner of a certain portion of a debt contracted by a government or corporation.

Assuming these two definitions to be correct, the act in question can have full effect given to it without any violation of the constitution. The stock included ~~in~~ under the first definition, which is the stock here proposed to be deposited, cannot be forfeited to and become the property of the State, without a violation of the constitution, and is not therefore the description of stock required to be deposited. The stock included under the second definition may be forfeited to and become the property of the State - indeed the State is already the owner of a large amount of such stock; viz, the five per cent bonds of the United States; this therefore, is clearly the description of stock that the law requires to be deposited.

I have given much consideration to this subject, and am perfectly satisfied that the view I take of it is correct.

I am surprised that Messrs Wacker and King should have made a tender of either of these stocks, for I informed them, after the contract was awarded and before it was signed, when they proposed to deposit this same Mechanics Bank stock together with a certificate of deposit of three hundred thousand dollars in the Farmers and Merchants Bank of Memphis, both amounting to nearly double the sum required to be deposited, that I did not consider either or both were such securities as the law required. I then distinctly told them, I did not consider that the law authorized a deposit of the capital stock of any corporation, and that if stocks were deposited, they must be evidences of debt, issued either by the United States, or some State of the Union, or by some corporation authorized to issue such stock, of either of which the State may lawfully become the owner.

If I were to admit that the capital stock of a private corporation could legally and constitutionally be received as the deposit required to be made by this company, there are still other objections to the reception of either of these stocks. Neither of them are assigned and transferred in the manner required by the contract. The contract

provides, "that if evidences of debt of the State of Texas, or other good par stocks are deposited, they shall be transferred and assigned to the Governor of said State, for the time being, and his successor in office, in trust—said transfer and assignment to be made in the manner required by the laws, rules and regulations governing the transfer and assignment thereof, so as to vest the title of the same in the said Governor for the time being and his successor in office in trust," and also, "that said transfer and assignment shall be made before, and shall accompany said evidences of debt, or other good par stocks, when they are deposited with the Treasurer of the State." Now both of these certificates state on their face, that they are only transferable on the books of the corporation, and yet neither of them are so transferred. It is true that each is accompanied by a written transfer containing a blank power of attorney authorizing them to be transferred on the books of the corporation, but the charters of both corporations provide that the directors may establish rules and regulations to govern the transfer of their stock, and we have no evidence showing what these rules and regulations are, nor whether they permit transfers to be made in this manner.

The Mechanics Bank of Memphis was chartered by the Legislature of Tennessee on the 18th day of March 1854, and has been too short a time in existence for its stock to have any established character in the money market. Its capital stock is limited to three hundred thousand dollars, and it is under the management of five directors who must be stock holders and citizens of Tennessee. There is also a provision in its charter, that if the corporation shall at any time suspend or refuse payment, in gold or silver, of any of its notes, bills or obligations, or any money received on deposit, when demanded by the holder or depositor, the holder of such note, bill or obligation, or the person or persons entitled to receive such money deposited, shall be respectively entitled to interest from the time of such demand and refusal, at the rate of ten per cent per annum until paid by said Bank, or until the same can be recovered or made by law from the real or per-

sonal effects of the then existing stockholders in said Bank, who are made individually liable for the redemption of all the notes, bills and obligations of any nature and kind whatever of said Bank.

If this stock be received as the deposit, it must by the terms of the contract, be first assigned to the Governor for the time being, and his successors in office, in trust, and the moment he accepts this assignment, either he or the State of Texas becomes a stockholder and is liable individually, for the redemption of all the notes, bills and obligations of any kind whatever of said Bank, in case the directors fail to make provision for them. Either the Governor or the State thus virtually becomes a surety for the faithful performance of their duty by the directors, and for all the issues of the Bank, and all the deposits made in it, this too, while the five directors own only eighty shares, amounting to two thousand dollars, and the Governor for the State holds eleven thousand nine hundred and twenty shares, amounting to two hundred and ninety eight thousand dollars. So far from this stock being any security to the State, the acceptance of a transfer of it might create a liability against the State for an indefinite amount, in case of a failure of said Bank, or the mismanagement or fraud of the five directors holding only two thousand dollars out of three hundred thousand which is the capital of the Bank.

The Sussex Iron Company was chartered by the Legislature of New Jersey on the 25th day of March 1845, for the purpose of manufacturing iron. Its capital stock was limited to three hundred and fifty thousand dollars, divided into shares of one hundred dollars each, but it was authorized to commence operations when fifty thousand dollars of the capital was subscribed and paid in. On the 25th. of February 1852, the charter was amended, the shares were divided and the par value of them made twelve dollars and fifty cents instead of one hundred. The capital stock was increased to six hundred thousand dollars, with the privilege of a further increase to one million of dollars if the business of the company should require it, and the company was authorized to purchase and hold

and convey any mineral or other lands in the counties of Sussex, Morris and Hudson they might deem necessary for the business of the company.

On the 24th. of February 1853, the charter was again amended, and the company was authorized to issue forty thousand shares of new stock at the par value of twelve dollars and fifty cents per share, with the privilege of a further issue of forty thousand shares, should the business of the company require it. Said stock to issue as a preferred stock, and to bear such a rate of dividend, not exceeding eight per cent per annum, as the board of directors might prescribe. The directors were to open books of subscription for said stock when they thought proper, after giving notice.

This amendment of the charter was not to take effect until it was accepted by two thirds of the stock-holders, at a meeting called for that purpose, and an affidavit thereof was made by the President and Secretary, and filed in the Office of the Secretary of State. The said corporation was also authorized to issue the stock of said company in full or in part payment for any mines, minerals, rights and other real estate necessary for their business. These provisions are gathered from a copy of the charter and amendments that accompanies the stock, but there is no copy of the affidavit of the President and Secretary which was required to be filed in the office of the Secretary of State, showing when two thirds of the stock-holders assented to the issue of this preferred stock, nor is there any evidence showing when this preferred stock was subscribed for and issued. All we know on these subjects, is, that R. J. Walker and J Butler King purpose to deposit a certificate issued to them and dated October 3rd. 1854, for three hundred thousand dollars of this preferred stock, which, according to the statement of the President that will hereafter be referred to, is all that was ever issued.

The evidence produced in regard to the value of the stock of this company, consists of a "Statement of the present condition and future prospects of the Sussex Iron Company of New Jersey" a "supplemental Statement" giving a "discription of the

real estate of the company estimated at $362.500," both signed by Edwin Post President of the company, and a certificate from the Governor of New Jersey giving his opinion of the value of the stock.

The statement of the President above referred to, is to the following effect, viz;

"Old stock	$184.000.	
Preferred do	300.000	$484.000
Merits and estimated Profits,		
Real Estate	362.500.	
Personal property including stock held by the Co. and doubted debts due them after deducting all debts due by them	60.000.	
Minimum nett profits on the delivery of 30.000 tons of rail road iron, as per contract at $70. per ton cash, after deducting increased outlay caused thereby	250.000	
Minimum nett profit on 25.000 tons of Pig iron and paint from 100.000 tons of Franklinite iron owned by the Co. according to the experiments and sales already made of ~~which~~ such iron and paint made by the Company	1.100.000	$1.772.500.
Go which add increased value of real estate, (exclusive of the Town of Franklin,) owned by the Company as the result of enlarged operations at least	200.000	
		1.472.500

The President then says, "It will readily be perceived from the above statement, that the $500.000 of Sussex Iron Company stock is worth largely above par."

He also states that among other advantages, "This property enjoys the benefit of direct connection with New York and Philadelphia and the great coal regions, both by railroad and canal &c".

The Governors certificate states that, he has

examined the report of Edwin Post the President of the Company; that he is acquainted with the property of the Company at Stanhope and the value of Franklintine ore, and that he concurs fully with said report in opinion of the value of the stock."

The supplemental statement of the President declares that the real estate of the Company, estimated at $362.500 consists of—

1st The Town of Stanhope, embracing about 400. acres there and in the vicinage, and including 31. buildings not used by the Company and bringing an annual rent of $3.225.57.

2nd. In addition, 600 acres of land on which it is computed there are 10.000 cords of wood; also a water power with 70 feet fall, taking all the water of the Musconetong river, a steam engine of 160 horse power, two blowing cylinders, engine houses &c. with valuable mines on the lands.

The certificates of George M. Dallas and William Kent express an opinion of their own, in regard to the value of the stock. They merely state, that having examined the certificates of the President and the Governor, they are of opinion that the deposit of this stock will be a compliance with the law requiring the deposit.

From these statements and certificates, it will be seen that the actual property of the Company consists of about 1000 acres of land with their mines, including the Town of Stanhope and 31 buildings which bring an annual rent of $3.225.57. The steam engine and other machinery and engine house &c. all of which are estimated at $362.500 and personal property, stock of the Company and debts owing to the Co— 60.000

$ 422.500

and that the stock of the Company is $480.000, leaving a deficiency between the stock of the Company and its property of $57.500.

I do not take into consideration, as property, the minimum nett profit of $250.000 that the Company expects to make, when they shall have manufactured and delivered 50.000 tons of railroad iron at $70. per ton— nor the minimum nett profit of $1.100.000, that the Company expects to make on 25.000 tons of pig iron, that the Company

expects to manufacture from 100.000 tons of Franklinite ore owned by the company, nor the $200.000 that the company expects to make by the increased value of their real estate, as the result of enlarged operations, amounting in all to the enormous sum of $1.550.000, as expected profits on an actual capital of $422.500, for these expected profits may never be realized, and they are too remote and contingent to be called property, or to be relied on as giving value to the Stock.

Upon a review of the foregoing statements in relation to the value of the Dunkerhon Company, the question naturally suggests itself; If this Stock is really as valuable as the statement of the President of the Company would indicate, and if these gentlemen had the means to procure $300.000, of this immensely valuable stock, and also $298.000 of the stock of the Mechanics Bank of Memphis, owned they not, with the same means, have procured $300.000 of good par evidences of debt issued by the United States, or some State of the Union, or some corporation authorized to issue such stocks?

If I were acting for myself individually, I should not consider either or both of these two stocks a sufficient security for three hundred thousand dollars, and I hold it to be the duty of an officer of the State to guard her interests as strictly as he would his own. I therefore say, that if both of these certificates of stock were the character of stocks that could be received under the law, I consider them insufficient.

Very respectfully
Your obt servt.
E M Pease

A true copy of this letter was delivered by me to Samuel H Raymond Esq. at his office, on the morning of the 30th. day of October 1852.

Samuel Harris private Secy

1854.
November.

Executive Department
Austin, Texas, Nov. 2nd. 1854.

James H. Raymond Esqr
Treasurer &c.

Sir,

It has become my duty, officially, to inquire of you, whether Messrs R. E. Walker, W. Butler King, M. T. Johnson, J. A. Grier, W. C. Lacy, Saml. A. Maverick, Geo Hancock, John Hancock, Jas H Raymond, James B. Shaw, Wm H. Bourland, H. P. Bee, John W. Harris, Watt-Ward, Leonard Randale, J Pinckney Henderson and E. B. Nichols who entered into a contract with the Governor of this State on the thirty first day of August last, to construct the Mississippi and Pacific Railroad, under the provisions of, "An act to provide for the construction of the Mississippi and Pacific Railroad," approved December 21st 1853, have deposited with you as the Treasurer of the State of Texas, three hundred thousand dollars, in gold or silver, or evidences of debt of the State of Texas, or other good par stocks, as a guarantee that fifty miles or more of said road, shall be constructed and in complete order for business within the time of eighteen months from the date of said contract, in accordance with the provisions of the 12th. Section of said act, and the terms of the said contract; and also whether such a deposit was made and accepted by you, within sixty days after the said parties entered into said contract.

An answer is requested at your earliest convenience.

Very respectfully
Your obt. Servt
E M Pease

I delivered a copy of the within letter to James H Raymond Esqr. this 2nd. of Nov. 1854.

Samuel Harris private Secy

Executive Department
Austin, Texas, November 2nd 1857

To Captains, Giles S. Boggs, William Fitzhugh, John G. Walker, Charles E. Harris and William King.

Gentlemen – The late instruction from the war Department, of the 9th-inst, countermanding the order of Genl. Smith for mustering your companies into the service of the United States for twelve months, unless sooner discharged, render it necessary that I should, for my own justification, give you, and the soldiers under your command, the following concise narrative of the circumstances under which I called your companies to this place, and of the different orders from the Headquarters of the Department of Texas, in relation to mustering them into the service of the United States.

On the 29th. day of July last, Gen. Smith addressed me a letter, in which the following language is used; "I round purpose then, that if your opinion is in favor of calling more companies into service, that on the first day of November next, six mounted companies should be called into the service, on which day four of them will be mustered into the service of the United States for twelve months, unless sooner discharged, at or near Fort Martin Scott, and two of them at or near Fort Worth."

To this letter I replied on the 8th. of August, informing him that I believed, "an addition to the troops now in service in this State was necessary" and that, "I therefore felt authorized from the tenor of his letter, to call out six companies of mounted volunteers, to be mustered into the service of the United States, at the time and places indicated by him, for twelve months, unless sooner discharged."

On the 18th. of August I accordingly issued a proclamation, calling for six companies of mounted volunteers, from the different sections of the State, to be mustered into the service of the United States for the time mentioned by Gen. Smith.

On the same day I wrote to Gen. Smith, informing him that I had issued an order, calling out six companies of mounted volunteers, as I had advised him that I would in my letter

to him of the 8th. of August. I also informed him that I thought it would be more convenient for the volunteers to be mustered into service at this place than at the points designated by him; and requested him, if he concurred with me in opinion, and consented to muster them at this place, to advise me of it as early as convenient.

General Smith on the 20th. of August, at his camp near Fort Clark, answered my letter of the 8th. of August, and also sent me a requisition of the same date, in which he says that, "under authority from the President of the United States, I have the honor to call upon your Excellency to furnish for the service of the United States, from the Militia of Texas, six companies of mounted men, organized as the law directs, to be mustered into the service of the United States on the 1st. day of November next, to serve for twelve months, unless sooner discharged."

On the 27th. of August, Gen. Smith, from his camp on the head of the San Pedro river, answered my letter of the 18th. of August, and said, "It will give me great pleasure to comply with your wish to have the companies mustered at Austin, and orders go with this, that the mustering officer shall attend at that place."

About the middle of September I was furnished with a copy of Special orders No 105, from Head Quarters, Department of Texas, dated September 2nd. 1854, containing instructions how the companies were to be mustered and supplied, and stating that four of them would be mustered at Fort Martin Scott, and two at or near Fort Worth, and also where they would be ordered to go.

Near the close of September, I was furnished with a copy of special orders No. 115, from the same source, dated 23rd. September 1854, designating Col. Waite as the officer to muster the companies, and directing them to be mustered at Austin.

Soon after the receipt of this last order, I appointed persons to inspect and enroll the companies at the places designated in the proclamation of the 18th. of August, and directed that the companies, when organized, should repair to this place in time to be mustered on the

1st. of November.

On the 25th. of October I received another requisition from Gen. Smith, dated, "Head Quarters Department of Texas, Painted Camp on the Limpia, October 9th. 1854," in which he says, "I am instructed by the direction of the Secretary of War, that no power exists for calling forth the Militia for a term as long as that proposed in my letter to you calling for six companies to be mustered into the service for a year unless sooner discharged.

I therefore ask, that to aid in protecting the frontier from Indian invasion, you will furnish to the service of the United States, six companies of the Militia of the State of Texas, to serve three months unless sooner discharged. If their services are longer necessary the troops will have to be mustered in again, at the end of their first term of service.

On Sunday evening last, the 29th. of October, I received by express, a copy of Special orders No 124, from Head Quarters Department of Texas, Corpus Christi, dated October 24th. 1854, stating that, "In pursuance of instructions, dated the 9th. instant, from the War Department, the mustering into service of the volunteers referred to first, in Special orders No. 105, of the 2nd. of September last, from these Head Quarters, is postponed indefinitely, and all special arrangements that may have been made for supplying them will be revoked. Brevet Colonel Waite is therefore relieved from the duty heretofore assigned to him in the orders on this subject."

From this narrative, you will perceive, that the orders issued from the Head Quarters of the Department of Texas, for mustering your companies into the service of the United States for twelve months unless sooner discharged, have been postponed indefinitely by instructions from the War Department.

You will also perceive that I am in possession of a requisition from Gen. Smith, dated in the Indian country, October 9th. 1854, asking me to furnish six companies of the Militia of this State to aid in protecting the frontier from Indian invasion, to serve three months, unless sooner discharged, and if their services are longer necessary, to be mustered in again at the end of their first term of service; But the requisition designates

no officer to muster those companies. Gen. Smith doubtless expected this would be done by the officer whom he had previously designated to muster for twelve months, and had he been at Corpus Christi when the instructions were received from the War Department commanding the order to muster for twelve months, he would, without doubt, have designated an officer to muster those companies called for in his requisition of the 9th. of October; but he was then, and still is in the Indian country, and it will be some time before I can communicate with him.

Under these circumstances, if your companies are disposed to enter the service on the terms of this requisition, I have concluded to have you mustered by the Adjutant General into the service of this State, to meet said requisition, and inform Gen. Smith as early as possible that you are subject to his orders. In the meantime, until I can hear from Gen. Smith, I shall send two of your companies to the vicinity of Fort Worth, and the other three to the vicinity of Fredericksburg and Fort Mason, where you will be convenient to the points at which he proposed to employ those companies he requested for twelve months, so that you can reach those points in a few days if he wishes to continue you in service.

In adopting this course, I shall have to furnish you with ammunition, forage and subsistence in the best way I can, until I can hear from Genl. Smith. Should he refuse to receive you, I shall then, unless some pressing ~~em~~ emergency calls for your continuance on the frontier, discharge you immediately, and unless the Congress of the United States, at its next session, makes provision for your pay, I shall call upon the Legislature at its next meeting to do so.

Very respectfully
Ed Rusk

Proclamation.

By the Governor of Texas.

The custom of setting apart a day, near the close of Autumn, for Public Thanksgiving, is becoming in every people who acknowledge their dependence upon the author of their existence, and gratitude for benefits conferred would seem to make this time-honored custom peculiarly appropriate to the people of Texas. Ever since the organization of our government, its history shows that we have been the favorites of an overruling Providence. Our country, which but a few years since, was peopled by barbarous and savage tribes, has, by His providence, been wrested from their hands, and is now sustaining thousands of civilized and christian people. Then we were weak and oppressed; now we are in the enjoyment of strength and freedom. Then our rising generation were destitute of all the advantages of education; now the rays of knowledge are brightening every neighborhood of our state. Then religious instruction was unknown among us; now the elevating and ennobling truths of the Gospel are heard and felt in every region of the state.

In order that we may unite in making our acknowledgements to the Supreme Ruler of the Universe, I recommend, that Thursday the 30 th. of the present month be observed throughout the state as a day of Public Thanksgiving and Praise; and I hereby invite the Clergy of the several religious denominations of this state, to meet their respective congregations on that day, in their several places of public worship, and express the gratitude of our people for the blessings which have been bestowed upon them, and invoke a continuance of the Divine favor upon our prosperous and happy state.

In testimony whereof I have hereunto signed my name and caused to be affixed the Great Seal of the State, at Austin Texas, this the 2nd. day of November in the year of our Lord one thousand, eight hundred and fifty four, and of the Independence of the United States the Seventy Ninth, and of Texas the Nineteenth.

L. S.

By the Governor
Edward Clark Secretary of State.

E M Pease

Executive Department
Austin, Texas, Nov 4th. 1854.

Sir.

I had the honor to receive, on the 25th. of October, 1854, your letter of the 9th. of Oct. written from "Head. Quarters Department of Texas, Painted Camps, on the Limpia," in which you request me to furnish to the Service of the United States, to aid in protecting the frontier from Indian invasion, six companies of the Militia of this State, to serve for three months unless sooner discharged, and if their services are longer necessary, to be mustered in again at the end of their first term of service. Nothing being said in the letter in regard to the time or place of mustering these companies, I supposed of course you expected they would be mustered by the officer whom you had designated to muster under your previous call for six companies for twelve months, and that you intended this request of the 9th. of Oct. to supersede your previous request of the 20th. of August. This supposition was strengthened by the fact, that you say in the same letter, you are instructed by the direction of the Secretary of War, that no power exists for calling forth the Militia, for a term as long as that proposed in your letter to me calling for six companies to be mustered into service for a year unless sooner discharged.

Imagine my surprise then, when on the 29th. of October I received by express from Corpus Christi, a copy of special orders No 124, dated Oct. 24, which state that, "In pursuance of instructions from the War Department dated the 9th. of Oct, the mustering into service of the Volunteers referred to first, in special orders No 105, of the 2nd of September, is postponed indefinitely." On the following morning, the 30th. of Oct. I called upon Col Waite, who had been appointed the Mustering Officer under special orders No 105, and who had just arrived in Lomy, showed him your request of the 9th. of Oct. and inquired if he had orders to muster the companies called for by it. He replied that he had not. That the orders under which he came here to muster, had been postponed indefinitely by special orders No 124, received by him since his arrival here, and that

he knew nothing of your request of the 9th. of Oct. until I showed it to him.

You will readily perceive that his reply made my situation an embarrassing one. The volunteers that I had called out under your request of the 20th. of August for twelve months had begun to arrive here on the 28th. of Oct. and by the first of Nov. five full companies had assembled here, and I had information that the sixth company would probably be here in the course of a week. I was in suspension of your request of the 9th of Oct. asking for this number of companies. I knew by late information from the frontier that they were needed for its protection. Your request also stated that they were needed for that purpose, yet I had ~~I had~~ no directions from you in regard to how these companies were to be mustered. I felt certain that your request of the 9th. of Oct. could not have been known at Corpus Christi, when the Special Orders No. 124. of the 24th. Oct. were received, because that request only reached this place on the 25th. of Oct. and it would require a longer time for it to reach Corpus Christi. I could come to no other conclusion from this state of facts, but, that the reason why I had no directions in regard to mustering these companies, was because you was not aware of the instructions from the War Department of the 9th. of Oct. when you sent me your request of that date, and because the Asst. Adjt. General at Corpus Christi was not informed of your request of the 9th. of Oct. when he issued Special Orders No 124.

I therefore concluded that I would muster the five companies that had assembled here, into the service of the State to meet your requisition of the 9th. of Oct. and send two of them to the neighborhood of Fort Worth, and the other three to the neighborhood of Fredericksburg and Fort Mason, where they will be on the route to the points at which you proposed to employ the companies you first called for, so that they can reach these points in a few days if you decide to continue them in service.

I have adopted this course and made arrangements for supplying them until I can hear from you. The sixth company when it arrives will also be sent to the neighborhood of Fredericksburg.

You will please advise me, as early as

convenient whether you intend to receive these companies under your requisition of the 9th. of Oct. as my present arrangements for supplying them are limited to forty days, before the expiration of which I hope to learn your determination. Should you decide to receive them, you can avail yourself of my arrangements for supplying them until you can perfect others of your own.

The companies are full, well mounted, armed and equipped, and as well prepared, in every way, for frontier service as any volunteers I ever saw.

I cannot believe that you will refuse to receive these companies, which have been called out by me in accordance with your request - a request issued by you strictly in conformity with law, and the discretion given to you by the Secretary of War in his order of the 19th. day of June 1854, particularly when you assign as the cause of that request, <u>that you need them to aid in protecting the frontier from Indian invasion</u>, and when two, it is notorious to every one conversant with our frontier posts, that neither of them has a garrison more than sufficient for its own protection, and that neither of them can spare for feild service, a force large enough to encounter the Indians with any prospect of success.

While writing this my attention has been called to the recent murder of McWilliams on the Medina, by a small party of Indians, who carried off one of his children into a captivity worse than death. This is but one of the many recent outrages committed by them, but this alone would justify the reception of these companies, and the employment of them until the perpetrators of the bloody deed are punished, <u>and</u> this helpless child is restored to her friends.

Very respectfully
Your obt Servt
E M Pease

To
Brvt Maj Genl
Persifer F Smith.

Executive Department
Austin, Texas, Nov. 4th. 1854.

James H Raymond Esqr
Treasurer &c
Sir

Your letter of this date, in answer to mine to you of the 2nd. inst. was handed to me this morning. On reading it over, it occurs to me, that the questions propounded to you were not as full as they ought to have been.

I now request that you will inform me what the deposit consists of, that you say has been made with you by the contractors named in my letter to you of the 2nd. inst.? and also that you will inform me of the precise time when said deposit was accepted by you?

Very respectfully
Your obt Servt
E M Pease

I delivered a copy of this letter to James H Raymond Esqr. on the 4 Nov. 1854.

Samuel Harris private Secy

Executive Department
Austin Texas, Nov. 1, 1854.

To Captains John G. Walker, William Henry and Charles C. Travis -
Gent.

You will repair with your companies, as early as convenient, to the neighborhood of Fredericksburg, and occupy positions there, suited to the health and comfort of your men, and await further orders from this Office, with the understanding however, that in the mean time if reliable information shall reach you of any outrage being committed by the Indians, at points where there is a prospect of your being able to overtake

and Malign him, that you will do so without written orders from this Office and if any emergency or Contingency arises, that you will immediately advise this Office of all the facts in relation thereto and of your proceedings in the premises.

Your Companies will take post as [illegible] named are arranged at the head of this letter and the Senior Officer present in the line, will direct all the movements of the Companies in their orders.

I have made arrangements with Mr. J. M. Simson to supply you the Expedition, and it will be done by him, as well as the [illegible] allowed for Expedition and the means will permit.

The Senior Officer will designate a Person to act as Asst Commissary & [illegible] and receive the returns of Subsistence & forage [illegible] Simson and receipt for them. [illegible] ability of [illegible] the [illegible] of said Company [illegible] in [illegible] returns [illegible] as allowed by the regulations.

[illegible] all the [illegible] of [illegible] Subsistence & forage [illegible] the regulations of [illegible] forms, [illegible] order [illegible] thereafter.

I especially enjoin upon you, that you prevent any irregularities on the part of any member of your Commands, and that you restrain all [illegible] from committing any Trespasses upon the person or property of Citizens

Very respectfully
your obedient servant
E M Pease

Executive Department
Austin Texas, Oct 6. 1837.

To Captains Isle S. Boggess and
William Fitzhugh
Sant

You will repair with your Companies, as early as convenient, to the neighborhood of Fort Worth, and occupy a position there suited to the health and comfort of your men, and await further orders from this Office, with the understanding however, that if, in the mean time, reliable information shall reach you of any outrages being committed by the Indians, at points where there is a prospect of your being able to overtake and chastize them, you will do so without further orders from this Office, and if such a contingency arises, that you will immediately advise this Office of all the facts in relation thereto and of your proceedings in the premises.

Captain Boggess is designated as the Senior Officer, and he will direct all the movements of the two Companies under these orders.

I have made arrangements with M. T. W. Johnson to supply you at this point with rations of subsistence and forage for fifteen days from the 11th Inst, by which time I expect you will be able to leave here.

Captain Boggess will designate a Clerk to act as assistant Commissary and Quarter-Master, who will receive from Mr. Johnson the fifteen days rations above spoken of and receipt for them.

The Commissary and Quarter-Master will attend to the transportation of these rations and will be charged with the responsibility of issuing them to the persons designated by the Captains of each Company, as they may be united on the route, and until they are expended, great care must be used in issuing rations, so as not to exceed, in any case, what is allowed by the regulations. These fifteen days rations will supply your Companies from the morning of the 11th to the evening of the 25th instant, before which day last named I expect you will have taken your position in the vicinity of Fort Worth. Cob M. T. Johnson has undertaken to employ some persons in the vicinity of that place to supply you with rations of subsistence and forage after the 25th instant. The Commissary and Quarter-Master will receive these rations, and

[illegible]

[illegible]

Accordingly [illegible]

[illegible]

Ell Pease

Proclamation

[illegible]

[illegible]

[illegible]

[illegible]

the Stocks above described, viz that of the Swamp Iron Company, and that of the Mechanics Bank of Memphis, which were rejected by me, but accepted by the Treasurer of this State, are not a sufficient deposit under the law and contract before described.

1st Because they are not the description of Stocks that the law required to be deposited.

2nd Because they are not assigned and transferred in the manner required by the terms of said contract.

3rd Because, even if these Stocks could have been received under the law, I am not satisfied that they are good par Stocks, or that they are such Stocks as ought to have been accepted.

I therefore consider that it is my duty to declare, that the said contractors have failed to deposit with the Treasurer of this State, the sum of ten thousand dollars in gold or silver or evidences of debt of the State of Texas, or other good par Stocks, within sixty days after entering into said contract, as they were required to do by the 12th Section of said act, and the terms of their contract. That said contract is therefore null and void, and that I am authorized and required to enter another contract with any other company or individuals for the construction of said road under said act.

In testimony whereof, I have hereunto signed my name, and caused to be affixed the Seal of the State, at Austin this the 8th day of November in the year of our Lord one thousand eight hundred and fifty five, and of the Independence of the United States the seventy ninth and of Texas the ninth.

Seal.

Ed Pease

By the Governor
Ben Holland
Actg Secy of State.

I delivered a copy of this to James H. Raymond on the morning of the 11th day of Novr 1854.

Samuel Harris Jun. a Ser

Executive Department
November 8th 1854.

James A Raymond, Esq. Treasurer &c

Sir:

Your communication of the 6th inst. has just been handed to me, and lest some passages in it may evidence the impression that my position and opinions in regard to whose duty it was to accept or reject the deposit within the sixty days, have been different at different times, thereby embarrassing your action, I feel called on now to state explicitly what my position and those opinions have been.

I have neither sought, nor avoided the responsibility of deciding whether the deposit offered was a good one or not.

In August last, after the contract was arranged, and before it was signed, Messrs Walker and King exhibited to me the certificates of stock, and of deposit, as stated in my letter to you of the 30th of October, and told me they proposed offering them as the deposit, after examining those certificates with the evidence offered in regard to them, I returned the papers to them, told them they were not the description of stocks the law authorized to be deposited, and informed them what description of stock would be accepted by me.

Nothing further came before me, in regard to the deposit until the 20th of October, on which day you handed me three hundred thousand dollars of the preferred stock of the Sussex Iron Company of New Jersey, with a copy of its Charter and amendments, stating at the same time, that the contractors proposed to deposit that stock, you also said that evidences of its value would be furnished before the expiration of the sixty days, and that you intended, when those evidences arrived to transmit them to me.

On the 26th October, you handed me the certificate for two hundred and ninety-eight thousand dollars of the Mississippi Stock Stock of Memphis, with a statement of its condition, signed by the President, and what purported to be a copy of its Charter, all these papers I examined with care and returned them to you, on or before the 27th of October, and stated that in my opinion these stocks were insufficient to answer the purpose for which you stated they proposed to deposit them, but that I would cheerfully examine the evidence in regard to the value of the Sussex Iron Company stock when they arrived.

and give you my opinions on them also.

On the 28th of October, which was Saturday, you handed me the two thousand dollars of Newport State Stock, with the widows in regard to the value of the Sussex Iron Company Stock, and on the evening of that day, I returned them to you, and told you that with the exception of the New York State Stock, these stocks were insufficient for the deposit, at the same time I told you, I had observed that Messrs Walker & Young in their letter to you of the 14th of October, insisted that the acceptance or rejection of the stock, must be your act, and that I felt it to be my duty to say to you, that the matter was left over between Messrs Walker & Young and myself when they were here in August last, that they then contended for the same principle, that I held then I was disposed to think, that up to the expiration of the sixty days, you had the right, made the by, either to accept or reject the deposit that might be offered, by their without deciding that point, whenever any stock was presented to me, or whenever I was informed that any stock was presented to the Treasurer, I should give my opinion in regard to such stock without hesitation, and that even if the Treasurer accepted of a deposit, I clearly had the right, when the sixty days expired, to decide whether it was such a deposit as the law required, and I should exercise that right. I also, at the same time told you that I still entertained the same opinion I then expressed and that I still intended to pursue the course I then indicated. This was the first and only conversation I recollect ever to have had with you on this point, before the expiration of the sixty days, and it was voluntary on my part.

You then stated, you would forthwith address me a communication in writing, submitting the proposed deposit with the accompanying papers, to which I might reply and say whether the law had been complied with or not, and whatever my answer might be, it would be yours to the Company, I replied to you, that I had no objection to this course, and accordingly when I received on the morning of the 30th of October, your letter of the 28th, I immediately, on the same day, handed you my letter of the 30th, giving you my opinion at length in regard to said stocks, and my reasons for

your of the 2nd and 4th inst., were written solely for the purpose of ascertaining what your action had been on the subject.

My position and opinions in regard to these matters have been freely communicated, whenever asked for, they were volunteered to you, and my actions have been strictly in accordance with them, so that if you or any other person, has misconceived them, no act of mine has contributed to produce that misconception

Had the legal and constitutional arguments contained in your letter, been addressed to me before your acceptance of the deposit, I should have felt it my duty, to controvert it, but no good, can result from my attempting it now

Very respectfully
Your obt Servant
E M Pease

Executive Department
Austin, Texas, Nov 27th 1854.

James S. Holmead Esq.
Dear Sir:

I have the honor to acknowledge the receipt of your letter of the 2nd instant, enclosing petitions from a member of the creditors of the late Republic of Texas, asking me to call an extra session of the Legislature to adopt such measures, in advance, as may be necessary to the final settlement of the revenue debt of the late Republic upon the terms indicated in the Senate bill passed July 21st 1854. and the report of the Finance Committee accompanying the same, and also letters on the subject from Secretaries Mechanic and Guitteras of Texas.

I have carefully considered these papers, but I cannot agree with the petitioners in the propriety of any action being taken by Texas in advance, upon a bill that has merely passed one branch of Congress, nor do I believe that any such action would result from convening the Legislature at this time, it would be composed of the same members, with very few exceptions as at the late regular session, and the subject is

of this debt may before Congress, and was fully and freely discussed, but no disposition was manifested to depart from the policy heretofore pursued by the State in regard to it.

I am sincerely desirous to see this debt settled upon honorable principles, at an early day, and I believe this to be the sentiment of the people of this State, this desire on my first, would have induced me to call the Legislature together to act upon this bill if it had passed into a law at the late session of Congress.

The present situation of this debt is such as to promise a speedy settlement, indeed all the parties concerned are prepared to yield something of which they have heretofore contended for, it is therefore a fair subject for compromise and now such a proposition as that contained in the Senate bill, presented to the people of this State, I believe they would accede to it with some modifications and conditions, the most important of which would be that these creditors release Texas from all further claim, I believe they would do this, not because they think they justly owe these creditors any more than they have heretofore offered to pay them, but because they are willing to yield this much for the purpose of being released of this embarrassing question.

Very respectfully
Your Obt Servant
E M Pease

Executive Department
Austin Tex, Nov 5th 1857.

Col H. T. Johnson

Dear Sir:

You are hereby authorized to contract with some persons in the vicinity of Fort Worth for supplying the companies of Captains Giles S. Roggen and Wm Fitzhugh with rations of vegetables and forage (excepting hay) while they

are stationed in that vicinity, these Companies take with them full rations to last them until the evening of the 25th instant, from and after which time I shall rely upon your having them supplied with the rations allowed by the United States service, excepting hay, and excepting also whiskey in lieu of which last they may receive the value in extra rations of sugar and coffee

These companies have eighty-eight men in each including Officers, and also one Surgeon, making one hundred and seventy-seven men, and no rations will be furnished for more than that number. The Assistant Commissary and Quartermaster will receive their rations from the persons you may employ to furnish them, and will sign duplicate receipts for them in the form prescribed by the regulations of the United States service, as far as it can be done

It is not probable that I shall want these rations furnished for more than twenty days, after the 25th instant when they are to commence, as I expect, before that time to learn whether Genl Smith intends to receive them, but should they not hear from me before the expiration of those twenty days, then I shall want them to continue furnishing until they do hear from me, the parties will make arrangements for supplying two days rations at a time.

I wish you to contract for these rations to be furnished as low as it can be done with the understanding that if the United States do not pay for them before there is a meeting of our Legislature, I shall then recommend that the Legislature pay for them, and use whatever influence I possess to induce them to do it.

You are familiar with all the circumstances under which these companies have been received by me, and can inform the parties of the facts, and that there is hardly a probability of their having to wait longer than the meeting of the Legislature on Nov. next 1855. and a strong probability that they will be paid at an earlier day

Very respectfully
Your Obt Servant
E M Pease

Quartermaster's Department
Austin Texas, Nov. 24th 1854.

To Captain Patrick H. Rogers,
Sir:

You will repair with your Company forthwith, to the vicinity of Fredericksburg and occupy a position near the encampment of Captains Walker, Henry & Travis, that is suited to the health and comfort of your men and await further orders from this office, with the understanding however, that as the means have of reliable information shall reach you of any outrages being committed by the Indians, at points where there is a prospect of your being able to intercept and chastise them, you will do so without waiting orders from this office, and if such a contingency occurs that you will immediately advise this office of it with details in relation thereto and of your proceedings in the premises. The four companies of which your is one will take rank as follows, Captain Walker first, Captain Henry second, Captain Travis third and yourself fourth. The senior officer present at the time, will direct all movements of the Companies under the orders issued herein and the other Captains.

I have made arrangements with Mr. S. H. Swenson to supply your Company per the enclosed, and it will be done by him, as well as the short time allowed for preparation and his means will permit.

When you arrive in the vicinity of the other other Companies you will report yourself to Captain Walker or to the senior Officer in Command, and will be supplied by the Assistant Commissary & Quartermaster in the same manner as directed for the other three Companies, great care must be used in observing rations as not to exceed, in any case, what is allowed by the regulations.

In all the details of service and in observing the subsistence and forage requisition, the regulations of the United States service will govern, this matter must be strictly attended to, in order to avoid trouble in the settlement of accounts hereafter.

I especially enjoin upon you that you prevent any irregularities on the part of any member of your Company, and that each and abstain from committing any depredations upon the persons or property of Citizens.

Ed Rice

Department of State
Austin Nov 17th 1857.

Hon J. H. Shaw

Dear Sir:

Upon comparison and count of the votes cast in this State, for "Comptroller of Public Accounts" on the 7th day of August last, it was ascertained that you had been elected to said Office, you having received all the votes cast at said time for said Office.

I have the honor to be,
Very respectfully yr Obt Servt
E M Pease

A notice similar to the above was on the same day addressed and delivered to James H. Raymond elected Treasurer, and to Thomas J. Jennings elected Attorney General of the State.

Executive Department
State of Texas, Austin Nov 17 1857.

E. M. Pease, Governor of the State of Texas, one of the United States of America, by virtue of the authority in me vested by the Constitution and laws, hereby certify, make known and declare to all to whom these presents come, that Philip Lehmann is a naturalized citizen of the State of Texas, and of the United States of America, and that he is entitled to all the rights, privileges and immunities to such citizenship belonging or in any wise appertaining.

The said Philip Lehmann being desirous of travelling in South America, I the said Governor of Texas, do most respectfully and earnestly request the diplomatic Ministers of South America, and all others to permit the said Philip Lehmann to pass and repass freely their respective States, and to give him protection and his baggage and property

In testimony whereof, I have hereunto affixed my name and caused the great seal of the

Seal

Great Seal of said State of Texas, at the City of Austin this the seventeenth day of November, A.D. 1854. and of the Independence of United States of America the seventy-ninth, and of Texas the Sixteenth year.

E M Pease

By the Governor
Edward Clark
Sec'y of State

A Passport issued to the one given Phillips Lehmann was at the same time procured Edmund Von Stein.

The State of Texas

Whereas it has been made known to me, that at the Fall Term 1854, of the District Court of Caldwell County in said State, John Goldenburgen and Mariah L. Goldenburgen were convicted of living together in Fornication with each other, therefor in the sum of one hundred dollars each and that judgment was rendered against each of them for the amount of said fine besides the costs of the prosecution.

And whereas it has been represented to me by respectable citizens of said County, that the said parties are too poor to pay the said fines, that they are ignorant but peaceable and well disposed citizens conducting themselves well in society and that they intermarried long before the aforesaid conviction and are now harmoniously living in marriage.

Now therefore be it known that I. E. M. Pease Governor of the State, being satisfied of the truth of said representations, and believing that the said parties by their marriage before conviction, have made a sufficient atonement for their offence, by virtue of the authority vested in me by the constitution

and laws of said State, do hereby remit the said fine of one hundred dollars against each of said prisoners, and upon the payment, by the parties, of all costs attending the said prosecution against them, the Clerk of the District Court of Caldwell County is authorized to make such entries upon the records of said Court, under its direction, as will give full effect to this remission of said fines.

In testimony whereof I have hereunto signed my name, and caused to be affixed the Great Seal of the State.

Seal.

Done at the City of Austin, this the twenty-first day of November A.D. 1857. and in the year of the Independence of Texas the twenty-eighth.

E M Pease

By the Governor
Edward Clark
Secretary of State.

The State of Texas

Whereas it has been made known to me that at the Fall Term 1857 of the District Court of McLennan County in said State, Henry S. Warren was convicted of stealing a Cow of the value of ten dollars, the property of one David Norton, and that his punishment therefore was assessed by the jury at one year confinement to hard labor in the State Penitentiary.

And whereas affidavits have been exhibited to me, stating that the Cow for the stealing of which said Warren was convicted was in the brand of James Brown and claimed by him as his property for some year or more, when he sold her to said Warren, that said Warren then in possession of said Cow claiming her as his own for a year or more before he sold her, and also that said Brown stated that he had sold said Cow to said Warren, — and whereas it has been shown to me by affidavit that the said Warren's application for a certificate of said conviction unfortunately miscarried by his Attorney and he could not, in his inexperience, see the necessity of filing it [illegible]

reason of which he was forced into a plea without obtaining the evidence of the persons whose affidavits are first herein named. — And whereas an examination of said affidavits in connection with a statement of the evidence given on the trial in which said Warren was convicted induces me to believe, that if the persons who gave these affidavits had testified on the trial, that said Warren would not have been acquitted

Now therefore be it known that I, E. M. Pease Governor of said State in view of these facts, do by virtue of the authority vested in me by the constitution and laws of said State, hereby grant to said Drury S. Warren a pardon for the offence of which he has been convicted aforesaid, and hereby direct the officer or officers who may have him in custody to release and discharge him from all further confinement.

This pardon is not to affect any liability against said Warren, for cost of the prosecution under which he was convicted but he will still remain bound for said cost as if this pardon had not been granted. — The Clerk of the District Court of McLennan County is authorized under the direction of said Court to make needed entries on his records as will give full effect to this pardon

In testimony whereof I have hereunto signed my name and caused to be affixed the Great Seal of the State.

Seal.

Done at the City of Austin, this the twenty-second day of November A.D. 1854. and in the year of the Independence of Texas the Ninth.

By the Governor
Edward Clark
Secretary of State

E M Pease

Executive Office
Austin Texas, Nov. 23d. 1854

To Captains Ira S. Boggess
and William Fitzhugh
Gent:

I am happy to inform you that I have received a letter from Genl Smith, dated the 15th inst at Corpus Christi, in which he informs me that "Col White is instructed to muster in the six Companies, (called out by me) for three months.

Three of the Companies to be sent to Fort Mason, and three to Fort Clark provided for expeditions against the Indians, who are considered most hostile",

I have since received a letter from Col Waite requesting that the two Companies now near Fort Worth, may be ordered to San Antonio as early as convenient, where they will be mustered into the service of the United States

You will therefore as soon as you receive this, take up the line of march with your Companies for San Antonio, coming by this place.

You will bring with you rations of provisions sufficient to subsist your companies from your present encampment until you reach this point, where you will be supplied for your march from here to San Antonio.

In my instructions to Col M. T. Johnson in regard to supplying you at your present encampment, after the 25th instant, I requested that his arrangements should be made for supplying you with five days rations of subsistence and forage at a time, if these instructions have been followed, then I expect when you receive this, you will have on hand at least half of the first five days rations, and you will request the contractor, who may have been employed by Col J. to furnish you enough rations of provisions, with what you may have on hand left over, to last your companies to this place, any case that may occur been delivered to you, which you cannot bring with you, you will refer to the contractor taking their receipts, stating that they have received it and will deliver it to the back [illegible] and account for the proceeds. As [illegible] for forage in your second to [illegible]

authorized to purchase along the road, enough to supply the two Companies in accordance with the regulations of the United States Service, and give orders on the State for the amount, assuring the parties that they shall be paid at an early day, either by this State or the United States, taking in all cases a duplicate of the orders you may give, which you will return to this Office.

One wagon went with you from this place, if it is still at your Camp, you will retain it for your service to this place, or if the bearer of this letter meets it on the road, he will turn it back for your use, but if it has left your Camp and the bearer does not meet it, keep your wagon employ another wagon, on the best terms you can, in case you cannot make the trip without such a wagon

Captain Foggess in the Service Office is charged with the direction of all matters in connection with these orders, and in case of his absence or inability then the Senior Officer in Command is charged with the same.

Yours with respect —

Ed Pease

Executive Office
Austin Texas, Nov 23rd 1844

To the contractor or contractors who may have been employed by Col. M. T. Johnson to furnish the companies of Captains Foggess and Fitzhugh under instructions given him from this Office or the Lieutenant.

Sir:

Orders go with this to Captain Foggess and Fitzhugh directing them to take up the line of march immediately with their Companies by the way of Seguin to San Antonio at which place they will be mustered into the Service of the United States for three months.

They will need rations of provisions sufficient, with what they may have on hand to supply their companies until they reach this place, you will be informed by Captain Hoggess, or whoever may be in command, what they require, and I hope you will be able to supply them. — I have directed Captain Hoggess if any corn has been delivered beyond what he may be able to take with him, to turn it over to you and take your receipt stating that you have received it and will dispose of it to the best advantage and account for the proceeds.

I wish you would as early as convenient, make up the accounts of what you have furnished these Companies & forward them to me with all the requisitions and receipts for the same, in form as near as you can to correspond with the regulations of the United States Service. — as I wish to forward them as early as possible to Washington City, where I have no doubt our Members will be able to obtain an appropriation for their payment, now that the volunteers have been received into the Service by the General in Command in this Department.

Yours with respect
E. M. Rose

Operations Office
San Antonio, Nov. 24th 1854.

To C. A. Waite
Brevet Col. 5th Infantry
Sir:

I have the honor to acknowledge the receipt of your letter of the 20th inst. on the evening of the 23rd, and in compliance with your request I on the same day sent a special messenger to the vicinity of Fort Worth with directions for the two companies of volunteers now stationed there to repair forthwith by the way of Austin to San Antonio, I presume it will require from fifteen to twenty days for the messenger to go to Fort Worth and for the companies to march from there to San Antonio.

In reply to your inquiries, I submit the following.

Company No. 1. Isaac S. Pruyne. Captain
Eli Wood 1st Lieut
Caleb J. Jackson 2nd Lieut
Company organized at the Town of Tyler in Smith County, 300 miles from Austin, on the 16th day of Oct. 1854. Mustered at Austin on the 2nd day of November 1854.

Company No. 2. John G. Walker Captain
Thomas P. Linell 1st Lieut
Hanson Tam 2nd Lieut
Company organized at the Town of Nacogdoches in the County of Nacogdoches 300 miles from Austin, on the 16th day of October 1854. Mustered at Austin on the 2d of November 1854.

Company No. 3. William P. Henry Captain
Samuel A. Jackson 1st Lieut
William Thom 2d Lieut
Company organized at Goliad in the County of Goliad 120 miles from Austin, on the 20th day of October 1854 Mustered at Austin on the 2d day of November 1854.

Company No. 4. William Fitzhugh Captain
F. M. Dougherty 1st Lieut
Andrew J. Prewett 2d Lieut
Company organized at the Town of McKinney in Collin County, 280 miles from Austin, on the 16th day of October 1854. — Mustered at Austin on the second day of November 1854.

Company No. 5. Charles C. Travis Captain
George W. Chapman 1st Lieut
Jordan D. Scott 2d Lieut.
Company organized at the Town of Cameron in the County of Milam 70 miles from Austin on the 18th day October 1854. — Mustered at Austin on the 2d day of November 1854.

Company No. 6. Patrick H. Royers Captain
Alexander S. Wright 1st Lieut
Edwin W. Royers 2d Lieut

Company organized at the Town of Brenham in the County of Washington 100 miles from Austin, on the 18th day of October 1854. mustered at Austin on the 8th day of November 1854.

The relative rank of the Officers is according to the number given to their Companies, this rank however has no effect in regard to promotions, for under the laws of this State, all volunteers have the right to elect their own officers, and any vacancies must be filled by an election of the Company in which the vacancy happens.

The Medical Officer for the four Companies near Fredericksburg is Dr. John Work.

The Medical Officer for the two Companies near Fort Worth was Dr. Miller but I learn that he died since the Companies left here, and I have not learned who has been employed since, but I shall be able to inform you when those Companies return.

The two Companies near Fort Worth are Nos 1 and 4. Captains Scaggs and Fitzhugh.

The 4 Companies near Fredericksburg are Nos 2. 3-5 & 6. Captains Walker, Henry, Travis & Rogers.

I send you enclosed a statement of the Camp & Garrison equipage & ammunition furnished each Company, also a statement of the Medicines and Hospital Stores furnished, these will be all the articles of this character they will require for the three months, with the exception of a few more for Captain Rogers Company.— If there is no objection to such a course, I would like to have you take these articles for the United States.

I also had horse shoeing done for the companies to the amount specified in said Statement.

You do not state whether you wish to avail yourself of the rations of provisions, and the forage that I have provided for the four Companies at Fredericksburg to supply them until the close of the 18th of December, I would like you to take them if you can, at the price I have agreed to pay for them, otherwise I may suffer some loss on them, for they can all now either at Fredericksburg or on their way there. The rations cost forty five cents each and six tenths of a cent each, and a cent few fours for each fifty miles of transportation from the City of Houston.

For the corn I have to pay the actual cost thereof with the cost of hauling it to the Company wherever

an addition of twenty per cent on the cost of the corn & handling, as a compensation to the contractor. I am satisfied he has bought the corn at a lower price than you will be able to buy, for he sent & purchased most of it before the companies went up there.

Maj Gillet the Adjutant General will send you by this mail copies of the muster-rolls which you can keep. I also send you enclosed, an order to the four companies at Fredericksburg and will send a like one with the other two Companies.

Very respectfully
your Obt. Servt.
E M Pease

The Companies of Captains Roggen, Fitzhugh, Walker, Henry and Travis & Companies, were each furnished with the following articles, viz:

1 Marquee for Officers		42 66
1 Hospital Tent		41 43
14 Soldiers Tents	16 28 each	229 32
14 Axes with handles	2 10 "	29 40
2 Spades	1 50 "	3 00
3 Kegs Powder	12 66 "	37 98
250 lbs Lead	14½ "	36 25
14 Ovens	2 00 "	28 00
14 Frying Pans	60 "	8 40
14 Coffee Boilers (4 qts)	90 "	12 60
14 Tin pails	60 "	8 40
60 lbs Manilla Rope	36 "	21 60
10.000 Percussion Caps	2 40	24 00
4 Reams paper	30 "	1 20
100 Quills		90
1 Bottle Ink (qt)		90
100 Envelopes		60
		$326.64
		5
For the five companies		$2633.20

I hold duplicate receipts from each of said five Captains for the articles above named.
E M Pease

Amount Brought up $2635.20

The Company of Captain Rogers was furnished with the following articles viz

1 Marquee for Officers		42.66
1 Hospital Tent		41.43
11 Soldiers Tents	16.38 each	180.18
11 Axes with handles	2.10 "	23.10
2 Spades	1.50 "	3.00
3 Keg Powder	12.66 "	37.98
250 lbs Rar Lead	14½c	36.25
11 Ovens	2.00 "	22.00
11 Frying Pans	60c "	6.60
11 Coffee Boilers (4 qts)	90c "	9.90
11 Tin Pans	60c "	6.60
60 lbs Flannel Rags	36c	21.60
10.000 Percussion Caps	2.40	24.00
4 Ream Paper	30c "	1.20
100 Quills		.90
1 Bottle Ink (qts)		.90
100 Envelopes		.60 $ 458.90

I hold duplicate receipts from Captain Rogers for all the articles above named.

E M Rose

The six Companies were supplied with Medicines and Hospital Stores which cost . . . $439.09

I hold duplicate receipts from the Medical Officers for the above

E M Rose

Horse Shoeing was done for the six Companies which cost $712.83

I hold duplicate receipts from the Captains of each Company for the Shoeing done for his Company $244.01

E M Rose

Executive Office
Austin Texas. Nov 24th 1857.

To Captains John G. Walker, William C. Rogers, Charles E. Travis and Patrick H. Rogers

Gent.

This will be handed you by Col C. A. Wurtz who has been designated, by General Persifer F. Smith, as the officer to recruit your Companies into the service of the United States for three months unless sooner discharged. You will from the time shown to you, submit yourselves to the orders of Col Wurtz and such orders as may be communicated to you from Genl Smith or the Officer in Command of the Department of Texas.

E M Pease

The State of Texas.

Whereas it has been suggested to me by John Hemphill Esq. Chief Justice of the Supreme Court of said State that Minnell and Abner S. Lipscomb Esq. one of the Associate Justices of said Court having been of Counsel in the cause No. 247. Hamilton vs Horton et al from Jackson County, now pending in said Court, there is no competent Court for the trial of said cause

Now therefore in order that a legal and determination may be had, I, E. M. Pease Governor of said State by virtue of the authority vested in me by the constitution and laws of said State do hereby appoint and Commission Robert Hughes Esq. a person learned in the law, as a special Judge, to try and determine said cause. In testimony whereof I have hereunto set my hand and caused the great Seal of the State to be affixed, at the city of Austin this the 25th day of November AD 1857. of the Independence of the United States the 79th and of Texas the 19th

Seal.

By the Governor
Edward Clark
Secretary of State

E M Pease

1854
December

Proclamation

By the Governor of the State of Texas

Whereas, the contract that was entered into between the Governor of the State of Texas of the one part, and Robert J. Walker and T. Butler King and others of the other part, on the 31st day of August 1854, for the construction of the Mississippi and Pacific Rail road, under the provisions of "An Act to provide for the construction of the Mississippi and Pacific Railroad" approved December 21st 1854, has become null and void, by the failure of the said contractors to make the deposit of three hundred thousand dollars in gold or silver, or evidences of debt of the State of Texas, or other good par stocks, as they were required to do by the terms of said act and their contract, and whereas by the terms of said act, it is provided that in case of such a failure, the Governor of said State is authorized to enter into another contract as near as may be in the lines of said act, with any other company or individuals, for the construction of said road. Now therefore notice is hereby given, that proposals from companies or individuals, for the construction of said road in accordance with the provisions of said act and the laws of this State, will be received at the Office of the Secretary of State, of this State until the first day of May 1855.

Said proposals must specify the time at which the work shall commence, the number of miles to be finished and placed in running order within the first eighteen months after the contract is entered into, and each year thereafter, and at what time the entire road shall be completed, together with the amount proposed to be deposited in the Treasury of this State according to the provisions of said act, to be forfeited in case so much of the road shall not be completed within eighteen months from the time of entering into the contract.

Said proposals must be sealed and directed to the Secretary of State, Austin Texas, and endorsed "Proposals for the construction of the Mississippi and Pacific Railroad." A selection from the proposals will be made as early as practicable after the first of May 1855, and the Company or contractors whose proposals may be selected

will be required to enter into a contract in accordance with the provisions of said act and the laws of this State, within one month after said first of May

In testimony whereof I have hereunto set my hand, and caused the great Seal of the State to be affixed, at Austin, this first day of December A.D. 1854.

Seal.

E M Pease

By the Governor
Rich Holland
Actg Secy of State.

N.B. The Austin State Gazette, Galveston Civilian, Nacogdoches Chronicle, Marshall Herald, San Antonio Ledger, Marshall Republican and Northern Standard, are requested to give the above Proclamation 3 insertions

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Executive Department
Austin December 11th 1854

To the
Executive Authority of the State
of Louisiana.

Whereas, It appears by the annexed document which is hereby declared to be authentic, That Joseph White stands charged with the Crime of Murder committed in the State of Texas, and information having been received, That the said Joseph White has fled from justice and taken refuge in the State of Louisiana.

Therefore, I, E. M. Pease, Governor of the State of Texas, have thought proper in pursuance of the provisions of the Constitution and laws of the United States, to demand the surrender of the said Joseph White as a fugitive from justice, and that he be delivered to F. H. Thorader who is hereby appointed the Agent of the State of Texas to receive said White.

Given under my hand and the great Seal of the State affixed, at the City of Austin, this the 11th day of December A.D. one thousand eight hundred and fifty-four, and of the Independence of the United States the seventy-ninth and of Texas the nineteenth year.

Seal.

E M Pease

By the Governor
Ashbel Smith
Acting Sec'y of State

To All to whom these presents may come, Greeting:

Whereas, it has been made known to me that John Farrell was convicted at the Fall Term 1853 of the District Court of Bexar County in said State, of an assault with intent to kill and murder, for which offence he was sentenced to confinement to hard labor in the State Penitentiary for a term of one year, where he is now confined under said sentence. And Whereas circumstances attending the commission of said offence by said Farrell which could not be given in evidence on his trial, have been made known to me which mitigate his offence, and make his case a proper one for the exercise of Executive clemency.

Now therefore, for the reasons above stated, I, E. M. Pease Governor of said State, do by virtue of the authority vested in me by the Constitution and Laws of said State hereby grant to the said Farrell a full pardon of the said offence for which he was convicted as aforesaid and for which he is now confined, and hereby direct the Keeper of the State Penitentiary and other officers having the custody of the said Farrell to release him from all further confinement.

In testimony whereof, I have hereunto subscribed my name, and caused the great Seal of the State to be affixed, at Austin, this the Eleventh day of December A.D. 1854 and in the year of the Independence of the United States the 79th.

Seal

E M Pease

By the Governor
Ashbel Smith
Secretary of State

Executive Office
Austin Texas, Dec 15th 1854.

Capt Giles S. Roguewood
William Fitzhugh
Gentl:

You will proceed with your companies as early convenient, to San Antonio, and report yourselves to Brevet Col C. A. Wacker, on the first hour of being mustered into the service of the United States.

I hand each of you herewith a letter to Col Wacker, introducing you to him.

Rations of subsistence and the forage of corn are furnished, in both of your commissions until the 25th of Decr inclusive which fact you will make known to Col Wacker when you report to him.

E M Pease

Executive Department
Austin Texas Dec: 15th 1854

Col C. A. Wacker,
Dear Sir.

This will be handed you by Capt Giles S. Roguewood, who reports himself to you with his Company for the purpose of being mustered into the service of the United States under the requisition issued to me by Genl Smith for six Companies of mounted men, Capt R. and his Company have rations of subsistence and also forage of corn to the 25th of December inclusive.

Yours with respect
E M Pease

A letter similar to this was handed to Capt William Fitzhugh, same date.

The State of Texas

Whereas, Snowbridge Ward who was heretofore appointed Commissioner under the provisions of "An act to perfect the land titles in Austin Colony" approved 25th of March 1850. and of an act supplemental to said act approved 18th February 1852. and Whereas the said Ward has left the State and neglected the duties of his said appointment.

Now therefore by virtue of the authority vested in me by the Constitution and laws of said State, I, E. M. Pease Governor thereof do hereby remove said Ward from said Office. and whereas Charles N. Riotte has been recommended to me as a competent person to discharge the duties of said Office.

Now therefore by virtue of the authority aforesaid I do hereby appoint the said Riotte a Commissioner under the said two acts before named.

In Testimony whereof I have hereunto set my hand, and caused the Great Seal of the State to be affixed. at the City of Austin, this 27th day of December 1854. and of the Independence of the United States the 79th and of Texas the 19th.

Seal.

E M Pease

By the Governor
Ashbel Smith
Act Sec'y of State

The State of Texas.

Whereas, It has been certified to me, according to law, that there is no competent Court for the trial and adjudication of the case No. Stylie Smith vs Executors now pending before the Supreme Court of this State, at the City of Galveston, in consequence of the Hon John Hemphill & A. S. Lipscomb being disqualified from sitting therein.

Now, therefore, to the end that a trial and determination of said cause may be had, I, E. M. Pease, Governor of the State of Texas, by virtue of the power in me vested by the Constitution and laws of said State, do hereby appoint and commission Robt Hughes, Esq.r a gentleman named in the law as a special Judge to sit in the trial of said cause, and determine the same.

Seal

Given under my hand and the Great Seal of the State, at the City of Austin, this the 29th day of December A.D. 1874, of the Independence of the United States, the 99th and of Texas the 19th year

E M Pease

By the Governor:
Burr Hollands
Actg Secy of State

N.B. Commissions in the same case, similar to the above were issued to F. C. Franklin and F. H. Merriman Esqrs as the other special associate Justices therein

Burr Hollands
Actg Secy of State

1855.
January

The State of Texas

Whereas, a Commercial Convention is to assem=ble at New Orleans in the State of Louisiana on the 2d Monday in January 1855. at which it is expected meas=ures will be adopted to develope the Commercial, ag=ricultural and Mechanical resources of the South=ern and Western States, in which objects, the State of Texas feels a deep interest in common with her sister States - and Whereas a desire has been expressed in many sections of the State that the Executive shall appoint delegates to represent the interest of this State in said Convention.

Now therefore I do hereby appoint the fol=lowing named persons delegates to represent the State of Texas in said Convention. viz-

Galveston County -	John T. Hill, W. Richardson John Henry Brown, E. R. Nichols George Ball.
Harris "	Harvey H. Allen, James Riley Ashbel Smith.
Calhoun "	Robert H. Forbes, Robert J. Clow
Matagorda "	Samuel G. Jewell, John Rugeley
Bexar "	Samuel A. Maverick
Jackson "	Charles E. Owen
Harrison "	J. M. Clough, L. T. Wigfall. Charles C. Mills, W. R. D. Ward.
Cass "	Mat Ward, R. P. Crump, Jas Scott.
Travis "	John Hancock, John Marshall.
Guadalupe "	Jacob Debordow
Cameron "	C. B. Scarborough, Samuel A. Belden Stephen Ormis, Israel Bigelow
Webb	A. R. Roe
Nueces	James H. Dancy
Tarrant	M. T. Johnson
Anderson	W. G. W. Jones
Shelby	Alfred Finch
Nacogdoches "	J. A. Green, Benj Rusk Wallace.
Sabine "	E. W. Caw, Richard Parmelee Tandy Raguet
Brazoria "	Thomas J. Cornelius J. W. Flanniqan. C. Pierce
Washington "	William A. Scott, Joseph H. Rigg
Red River "	Charles De Morse, James G. Wright. A. W. Hutchins.

Newton County — Joseph H. Harris
Jefferson " " John F. Smith, Wm P. Henning
Orange " " Hugh Archilree

In Testimony whereof I have hereunto set my hand and affixed the Great Seal of the State, at the City of Austin this the 1st day of January 1855 and of the Independence of the United States the 79th and of Texas the 19th

Seal

E M Pease

By the Governor
Brin Holland
Act'g Sec'y of State

[illegible]

Sir: I have [illegible]

[illegible]

[illegible] Official order R.S.1218 [illegible] Department [illegible] of Texas [illegible] office till [illegible] Jack Smith [illegible] to be [illegible] transcripts with these Officers and to [illegible] Washington. Soon after I left here, [illegible] correspondence between Jack Smith [illegible] relations to the Dig Companies of Disorded Texas that he requested me to furnish, to the defence of the frontier.

Upon such perusal, from these papers that Jack Smith, as soon as he returned from Washington, designated an Officer to muster the Dig Guard into the service of the United States, for three months, and they were finally mustered at Dig-Pheasant Prairie between the 15th and 25th of Dec.

Upon such perusal and upon a careful [illegible] the correspondence, that was [illegible] with the request of Jack Smith, I assembled Ranger Companies at Austin to be mustered in the 1st day of November, they arrived there on the 30th of October, but no United States officer was there

to muster them, and owing to the absence of Capt. Smith from his Head Quarters, and the conflict between orders issued by him in his absence, and the orders of the Secy of War, they were not all mustered into the service of the United States until about the 25th of December, no provision was made by the officers of the United States, for subsisting, supplying or transporting these volunteers until they were mustered into service by them, consequently I had to supply them with every thing needed from the 30th of October until they were mustered, which was upwards of a month for all of the Companies, and nearly two months for some of them

I made contracts with individuals to do this on the best terms I could, on the credit of the State, having no money to pay the further I account to them that the State would ultimately pay them, and in this way the pressing emergency was met and appropriations for the purpose I would recommend and respectfully pray them at the next Session.

All of these expenses ought to be paid promptly by the United States, the troops were called here under the orders of the General Commanding this Department, and strictly in accordance with the instructions and directions given to him by the President, and this State is in no manner responsible for the delay that occurred in mustering them, that upon will appear by an examination of the orders and letters contemporaneous, and caused by the absence of Capt. Smith and the conflict between his orders and the orders of the War Department.

None of these accounts have yet been paid, they are made not against the State and officered by me, nothing was purchased but what was necessary for the health and comfort of the troops, for additions to their provisions and forage, tents and other Camp equipage and furniture, Medicine & Stores and horse shoeing &c &c to be accounted, an account of all these articles was delivered to the United States Officer who mustered the Corps, and the articles were examined by the troops when they were received into the United States service.

I have not yet been able to make up a complete statement of all the expenses incurred, but as far as I have ascertained them they may amount to, or exceed forty-four thousand dollars

I am satisfied that an appropriation of twenty-five thousand dollars will cover every thing.

May I ask of you to endeavor to obtain an appropriation from Congress to pay these expenses, as the Teachers may not in all cases conform to the regulations of the United States Service, and will be hard to be with the best paid officers.

Should this be granted, I think the expenses incurred by the Governor of the State of Texas, on account of said State, for organizing, outfitting, and keeping in the field the Corps of Texas Cavalry under the requisition of Brig. Gen. Pierce M. Butler issued on the 5th of July, 2nd of August and 9th of October last, pursuant to the time and conditions mentioned in the Treaty of the United States, should be paid to the Governor of Texas, or the new and duly qualified agent to whom the same are due; provided that no claim shall be made to the consideration of the Secretary of War of the amount of expenses thus incurred, and that the same may be necessary and proper for said Volunteers, and provided also that the amount of said expenses do not exceed the sum of twenty-five thousand dollars.

Sec. 2. That the sum of two hundred thousand dollars or so much thereof as may be necessary to pay such expenses be and the same is hereby appropriated, to be taken out of any money in the Treasury not otherwise appropriated.

If this law can be passed in the form it will save much trouble to the parties who have furnished the articles, as the accounts will all be made up and approved by one auditor and forwarded all together with the receipts of the officers of the companies.

I presume the proper officers of the Government will see that an appropriation is made to pay the troops for their services from the time they were mustered into the service of the United States, but they are entitled to pay from the time they were assembled here to be mustered which was the

31st of Oct. and I wish you would see that an appropriation is made for that purpose, I shall be pleased to hear whether you can do anything on these subjects.

I wish you would show the copy of the correspondence with Genl Smith, to your colleagues of the House, and also to our Senators to whom I have written on the subject

Yours with respect
E M Pease

Executive Office
Austin Texas, Jany 8th 1855.

Hon: Thomas J. Rusk

Dear Sir:

May I ask of you to endeavor to obtain an appropriation from Congress, to pay the expenses incurred by me on account of the Mule, in organizing, subsisting, supplying and transporting the six Companies of mounted Volunteers called out by me under the requisitions of Brevet Maj. Genl Persifer F. Smith issued on the 29th of July, 20th of August and 9th of October 1854, previous to the time they were received and mustered into the service of the United States

Under the orders of Genl Smith these Troops were to have been mustered into the service of the United States up this place on the 1st of Nov 1854. but when they assembled here there was no Officer here to muster them, and they were not finally mustered until at different periods between the 5th and 25th of December, this delay in mustering them was caused by the absence of Genl Smith from his Head-Quarters, and a conflict between the orders issued by Genl Smith during his absence, and orders from the War Department, all of which will appear from an examination of the correspondence between Genl Smith and myself. Copies of which letters have been sent by me to Genl Scott when I was there in person

The failure on the part of Genl Scott to have them mustered as the time expired made it necessary that I should provide for and sustain these troops until they were mustered, which was afterwards for all the companies and nearly two months for three of them. I made arrangements with the individuals to supply these troops on the best terms I could on the credit of the State, because means to pay the troops. I received claim that unless the present Congress would make an appropriation for the purpose, I would be compelled to suspend payment at the next session. All of these expenses ought to be promptly paid by the United States, for they were incurred in the execution of the orders given to by the Adjutant General of this Department upon recommendation of the authorities and necessary for the protection of the frontier.

None of these expenses have yet been paid but the accounts are made out & required the State and approved by me. Nothing was purchased but what was necessary for the health and comfort of the troops. In addition to these provisions and forage, I had to procure tents and other camp equipage, medicines, Medical Stores and horse shoeing, accounts of these articles was delivered to the United States Officers who mustered the troops, and the articles were retained by the Troops when they were mustered into the Service of the United States.

I have not yet been able to make up a complete statement of all the expenses incurred, but so far as I have ascertained them, they amount to upwards of twenty-four thousand dollars, and I am certain that an appropriation of twenty-five thousand dollars will cover every thing.

As the troops may not in all cases conform to the regulations prescribed by the United States Service it will be best to have the law framed on this point.

Sect 2d Be it enacted &c. That the expenses incurred by the Governor of the State

of Texas, on account of said State, in engaging, subsisting, supplying and transporting the six companies of mounted Volunteers, called into service under the requisitions of Brig. Gen. Persifer F. Smith issued on the 29th of July, 20th of August and 9th of October, previous to the time said companies were received and mustered into the service of the United States, shall be paid to the Governor of Texas, for the use and benefit of the parties to whom the same are due.

Provided that proof shall be made to the satisfaction of the Secretary of War of the amount of expenses thus incurred, and that the same were necessary and proper for said Volunteers, and Provided also, that the amount of said expenses do not exceed the sum of twenty-five thousand dollars.

Sec. 2d. That the sum of twenty-five thousand dollars, or so much thereof as may be necessary to pay said expenses be and the same is hereby appropriated for that purpose out of any money in the Treasury not otherwise appropriated.

I find that similar provisions to this were made for paying several State, the expenses incurred by them, during the Mexican War, if this bill is passed in this form, it will save much trouble to the parties who have furnished the supplies, as the accounts will be made up and approved by me, and can be forwarded all together with the certificates of the officers of the Commander.

I presume, from the proper Officer of the Government will see, that an appropriation is made to pay these troops, for their services from the time they were mustered into the service of the United States, but as the delay in ascertaining their exact pay no funds of theirs or of their State, they are entitled to pay from the time they were called here to be mustered, which was the 30th of Oct. and Novemb. you will see that an appropriation is made for that purpose I shall be pleased to learn of any thing can be done in relation to these matters

Very respectfully
your obt. servt.
Ed Kase.

N.B. A copy of the above letter was sent at the same time to the Honble H Smith

The State of Texas.

Whereas, at the Fall Term of the District Court of Travis County, in the year 1854. an indictment against John Horan, for renting a room for the game of Faro to be played in, was tried, and the said Horan having plead guilty, he was fined by the Jury in the sum of two hundred dollars, and whereas it has been shown to me that this is the first prosecution against said Horan, for the violation of the law under which the indictment was found, that said Horan is an orderly and well disposed citizen, with a large family and but small means, and whereas, it is believed that a fine of one hundred dollars will be as effectual in deterring said Horan from the commission of the same offences, and can be paid by him without distressing his family.

Now therefore by virtue of the authority vested in me by the Constitution and laws of said State, I. E. M. Pease Governor thereof, do hereby remit one hundred dollars of said fine and the Clerk of the District Court of said County is authorized under the direction of said Court, to make such entries upon his records, as will give full effect to this remission, whereon the said Horan shall have paid the sum of one hundred dollars and all the costs of prosecution

In witness whereof I have hereunto set my hand and caused the great Seal of the State to be affixed. at the City of Austin this the eleventh day of January A.D 1855. and of the Independence of the United States the 79th and of Texas the 19th.

Seal

E M Pease

By the Governor
Edward Clark
Secty of State

The State of Texas

To all and singular the Sheriffs, Constables and other Civil Officers of said State — Greeting

Whereas it has been represented and made known to me by Andrew Johnson, the Governor of the State of Tennessee, that John R. Turner, late of said State of Tennessee, stands charged by Indictment found in the Circuit Court of Shelby County in said State of Tennessee, at the September Term of said Court A.D. 1857. with the crime of an assault with intent to kill committed upon one James Roark, and with shooting the said James Roark, and that the said John R. Turner has fled from justice in said State and has taken refuge in the State of Texas.

And whereas the said Governor of the State of Tennessee, in pursuance of the Constitution and laws of the United States, has demanded of me that I cause the said John R. Turner to be arrested and delivered to John E. R. Ray, the duly authorized agent appointed by said Governor of the State of Tennessee to receive said Turner into custody and convey him to the State of Tennessee — and whereas the said representation and demand are accompanied by a copy of said Indictment, duly certified as authentic by said Governor of said State of Tennessee.

Now therefore, I, E. M. Pease, Governor of the State of Texas, do, by virtue of the authority vested in me by the Constitution and laws of this State, and of the United States, issue this my Warrant, commanding all Sheriffs, Constables and other Civil Officers of this State to search, and to aid and assist in arresting, the said John R. Turner, and to deliver him, when arrested, to the said J. E. R. Ray, agent of said State of Tennessee, or order that he may be taken back to said State of Tennessee to be dealt with according to law for said crime of assault with intent to kill, upon one James Roark, and with shooting the said James Roark.

In testimony whereof I have hereunto signed my name and caused the great Seal of the State of Texas

to be affixed. Done at the City of Austin, this the twenty-third day of January A.D. 1855. and in the year of the Independence of the United States the Seventy-ninth, and of Texas the Ninth year.

Seal.

E M Pease

By the Governor
Edward Clark
Secretary of State

The State of Texas

Whereas representations have been made to me by respectable citizens of different Counties on the Gulf, that A. C. Crawford, who was heretofore appointed Agent to superintend and regulate Mustang Chase West of the San Antonio river under an act of the Legislature of said State approved February 5th 1854, has failed to discharge the duties of said appointment in accordance with the provisions of said Act, and that his official conduct has not been such as to command the respect and confidence of the citizens of those Counties, for whose benefit said act was passed, and wherein it is believed that a due execution of said law depends upon said appointment being held by a citizen whose official conduct is above suspicion.

Now therefore, by virtue of the authority vested in me by the constitution and laws of said State, I, E. M. Pease, Governor thereof, do hereby remove said Crawford from said Office of Agent, and I do hereby appoint Alfred N. Norton Agent to superintend and regulate all Mustang Chases West of San Antonio river under the provisions of "an act to regulate Mustang Chases", approved February 5th 1854.

In Testimony whereof, I have hereunto signed my name and caused to be affixed the Great Seal of State. Done at the City of Austin, this the 17 day of Jan'y A.D. 1855. and of the Independence of Texas the 19th year.

Seal.

E M Pease

By the Governor
Edward Clark
Secretary of State

1855
February.

Proclamation.

By the Governor of the State of Texas.

Whereas it has been made known to me, that Munroe Black was indicted by the Grand Jury of Hill County in this State, at the Fall Term of the District Court of said County for the year 1854, for the murder of Stephen Barnes in said county on the eighth day of June A.D. 1854 — also for an assault with intent to kill John Gibbony — and also for Robbery upon Samuel Price — and on the 15th. day of said month, in the County and State before mentioned, of Robbery upon Thomas Harrison, and that the said Munroe Black is still going at large and a fugitive from justice —

Now, therefore, be it known that I E. M. Pease, Governor of said State, by virtue of the authority vested in me by law, do hereby offer a reward of Three Hundred dollars, for the apprehension and delivery of said Black to the Sheriff of Hill County, in order that he may be dealt with according to law.

In testimony whereof I have hereunto set my hand and caused the Great Seal of the State to be affixed.

Done at the City of Austin, this the Twenty Seventh day of February A.D. 1855, and the Year of the Independence of Texas the Nineteenth

E M Pease

By the Governor
Bird Holland
Asst. Secy of State

The following papers are authorized to publish these Times, Viz — "Austin Gazette, Palestine Advocate, Marshall Republican".

The State of Texas.

Whereas Christian Schroeder was tried at the Fall Term, in the year 1854, of the District Court of Harris County in said State, on an indictment for larceny of a steer, and was convicted of said offence, and on the 22nd day of December of said year was sentenced by said Court to be confined at hard labor in the State Penitentiary at Huntsville for one year; and whereas it has been made known to me by respectable citizens of Harris County that said Schroeder is a German by birth and ignorant of our language and laws, and that from the circumstances attending the act for which he was convicted, it is possible he may not have been aware, at that time, that he was committing an offence against the laws of the State.

Now therefore in virtue of the power vested in me by the constitution and laws of said State, I, E. M. Pease, Governor thereof, do hereby grant to said Schroeder a pardon for said offence of which he was convicted as aforesaid, and hereby direct the officer or officers who may have the keeping of said Schroeder, to release and discharge him from any further imprisonment.

In testimony whereof I have hereunto set my hand, and caused the Great Seal of the State to be affixed.

Done in the city of Austin this the 26th day of February A.D. 1855, and the year of the Independence of Texas, the Nineteenth.

E M Pease

By the Governor
Jno H Willard
Actg. Secy. of State.

1855.
March.

The State of Texas.

Whereas it has been made known to me by Elias N Conway, Governor of the State of Arkansas, that one John Hyde, has been charged under oath, by Richard H. Bartley of Fayette County Texas, with having murdered Levi H Young in the County of Bastrop State of Texas, on the 14th. day of September 1855, and with being a fugitive from justice, and that said Hyde has been arrested and committed to jail in said State of Arkansas, and that he will be surrendered to me on demand.

Now, therefore, I. E. M Pease, Governor, of the State of Texas, do hereby demand the surrender of the said John Hyde to be brought to this State and tried for said offence, and that he be delivered to Joseph S Young, who is hereby appointed the agent on the part of this State to receive said Hyde and bring him to the State of Texas, to be dealt with according to law for said offence.

Given under my hand and great seal of the State of Texas, at the City of Austin, this the third day of March, one thousand eight hundred and fifty five, and of the Independence of the United States the 79th. and of Texas the 20th.

E M Pease

By The Governor
Geo. W. Hill
Actg. Secy. of State.

Executive Department
Austin Texas, March 3rd. 1855.

To the Executive Authority of the State of Arkansas.

Whereas, it appears by the annexed documents, which are hereby certified to be authentic, that John Hyde, stands charged with the murder of Charles Butler, committed in the State of Texas, and information having been received, that the said John Hyde has fled from justice, and taken refuge in the State of Arkansas.

Therefore, I E. M. Pease, Governor of the

State of Texas, have thought proper, in pursuance of the provisions of the Constitution and laws of the United States, to demand the surrender of the said John Hyde as a fugitive from justice, and that he be delivered to Joseph J. Young, who is hereby appointed the agent on the part of the State to receive said Hyde.

Given under my hand and the Great Seal of the State affixed, at the City of Austin, this the third day of March, A.D. One Thousand Eight Hundred and Fifty Five, and of the Independence of the United States the Seventy Ninth, and of Texas the Twentieth Year.

E M Pease

By the Governor
Fred Ellis
Actg. Secy. of State.

Executive Department
Austin, Texas, March 3rd. 1855.

Sir,

I have the honor to acknowledge the receipt of your letter of the 8th. inst. informing me of the arrest and imprisonment of John Hyde who is charged with the murder of Levi W Young in the County of Bastrop in this State, and that he will be surrendered on my demand without a copy of indictment.

I send you herewith a demand for the delivery of said Hyde to Mr Joseph J. Young who is appointed the agent on the part of this State to receive said Hyde and bring him here for trial.

I also send by Mr Young a requisition, (accompanied by affidavits which are certified to be authentic, charging said Hyde with the murder of Charles Butler in Harris County in this State in Feb. 1853.) for his surrender to Mr. Young as the agent of this State.

Mr Young is a responsible and respectable man, and may safely be entrusted with the duty of bringing Hyde to this State. This I am cert-

aim of, or I should not have appointed him as he is the brother of the Mr Young who is supposed to have been killed by Hyde.

The State of Texas will pay the expenses of the arrest and imprisonment of Hyde whenever properly vouchers are presented to the Comptroller of this State, with authority to any one to receive the money.

Upon referring to the papers in this Office, I find here your demand for the surrender of Thorton; upon which I will cheerfully issue a warrant for his arrest, if you desire it, but I fear that if he were arrested, he would make his escape before an agent could reach here from your State. There is no jail in the county in which Indianola is situated, and it would be very difficult to keep him safely any length of time, unless there was some person present who felt an interest in his being detained.

You may rest assured that every effort shall be made on my part to aid in securing him and sending him to your State for trial, whenever I learn with certainty that he is in this State.

I have the honor to be
Very respectfully
Your obt Servt.
Ed Pease

To His Excellency
Elisha M. Pease
Governor of Arkansas

Executive Department
Austin, Texas, March. 5th. 1855.

Sir.

I have the honor to acknowledge the receipt of your letter of the 27th. of Jany in relation to the expenses incurred by you in obtaining the release of Mrs Wilson, and it gives me pleasure to assure you that the citizens of this State feel under many obligations to you for your kindness and humanity on that occasion.

I send you enclosed a Treasury Warrant for the amount expended by you. $167– The money is in the Treasury and this Warrant will be paid on presentation at the Treasury indorsed by you.

I presume you will have no difficulty in getting it cashed by any person coming to San Antonio, at which place it will be as current as any Bank note.

I tried to procure for you a draft on New Orleans or some of the Northern cities but could not.

Very respectfully
Your obt Svt
E M Pease

His Excellency
A Merriweather
Governor of New Mexico.

The State of Texas.

Whereas on the 3rd. day of October 1854, at a District Court holden in and for the County of Bexar in said State, one Remigo Mojares was convicted of branding an unbranded blue calf the property of John. S. McClelland, and of altering the ear mark of a blue calf, the property of the said McClelland, and his punishment therefor was assessed by the jury at one dollar fine and ten lashes on his bare back; and whereas since the offences were committed, for which the said Mojares was convicted as aforesaid, the punishment for said offences has been changed, from a fine and whipping to a fine and imprisonment in the County jail; and whereas the punishment of whipping a free person is a relict of a past age that ought not to be enforced in this age of progress.

Now, Therefore, I, E. M. Pease, Governor of said State, by virtue of the authority vested in me by the Constitution and Laws of said State, do hereby grant to the said Remigo Mojares a pardon for said offences whereof he was convicted as aforesaid, and hereby direct that all further proceedings under said conviction be suspended and that he be discharged therefrom.

Given under my hand and the Great Seal of the State affixed, this the 8th day of March A.D. 1858, and of the Independence of Texas the twentieth year.

E M Pease

By the Governor
J. H. Rundell acting Secy of State

Proclamation

By the Governor of the State of Texas.

Whereas Truman B. Beck is charged with having committed murder upon the body of William Pratt in the County of Travis, in this State, on the 3rd day of March 1855, and whereas the said Truman B. Beck has fled from justice—

Now, Therefore, be it known that I, E. M. Pease Governor of said State, by virtue of the authority vested in me by law, do hereby offer a reward of Three Hundred dollars, for the apprehension and delivery of said Beck to the Sheriff of Travis County, in order that he may be dealt with according to law.

In testimony whereof I have hereunto set my hand, and caused the Great Seal of the State to be affixed.

Done at the city of Austin, this the 7th. day of March 1855, and the year of the Independence of Texas, the Twentieth.

E M Pease

By the Governor
Geo. W. Hollond
Actg. Secy. of State.

The State of Texas.

Whereas George Swinneman was convicted at the Spring Term, in the year 1855, of the District Court of Fayette County in said State, for an assault with intent to kill Henry Hoshe, and was sentenced therefor to one years confinement to hard labor in the State Penitentiary, and whereas it has been made known to me by respectable citizens of said County that said Swinneman was convicted solely upon the testimony of said Hoshe, and that there is reason to believe that all the facts in relation to the commission of said offence were not correctly detailed on the trial to the jury; and whereas the District Attorney who prosecuted said Swinneman has accompanied to me that from what he witnessed at said trial, he thinks the said Swinneman is a proper object for executive clem

ency.

Now Therefore, I. E. M. Pease, Governor of said State, by virtue of the authority vested in me by the Constitution and Laws, do hereby grant to said Swineman a pardon for said offence, and hereby direct the officer or officers having said Swineman in custody to release him from further confinement for said offence.

Given under my hand and the Great Seal of the State affixed, at the City of Austin, this the Seventeenth day of March A.D. 1858, and of the Independence of the United States the Seventy Ninth, and of Texas the Twentieth Year.

E M Pease

By the Governor
Jno Hillyard
Actg. Secy. of State.

The State of Texas

Whereas at the Spring Term in the year 1857 of the District Court of Guadalupe County in said State one Solomon W. Brill was convicted for larceny of a steer, and his punishment was assessed by the jury at one year imprisonment to be served out in the State Penitentiary - and whereas an appeal was taken on the 11th day of May 1857 from said conviction to the Supreme Court of the State, and by a mistake of the Judge who presided at the trial for said offence, said Brill was set at liberty under a recognizance instead of being remanded to jail during the pendency of said appeal as the law required, by reason of which said appeal was dismissed from said Supreme Court without a hearing - and whereas an examination of the statement of facts proved on the trial of said Brill for said offence and an inspection of affidavits of persons taken since said trial, in relation to the circumstances under which said steer was taken and used by said Brill, render it very doubtful, to my mind

whether said Brill would have been convicted of said Offence if he had had the benefit on his trial, of the testimony disclosed by said affidavits.

Now therefore, by virtue of the authority vested in me by the Constitution and laws of said State I, E. M. Pease Governor thereof, do hereby grant to said Brill a pardon for said offence so far as relates to his confinement at hard labor in the State Penitentiary, but leaving him still liable for all the costs of the prosecution against him for the offence of which he was convicted as aforesaid, and this shall be sufficient authority for the District Court of Guadalupe County to release and discharge the said Brill from all further imprisonment under said conviction.

Given under my hand and the Great Seal of the State affixed at the City of Austin, this the 29th day of March A.D. 1855. and of the Independence of the United States the Seventy-Ninth, and of Texas the twentieth year.

Seal.

E M Pease

By the Governor
Ben Hilliard
Actg Secy of State

The State of Texas one of the United States of America.

E. M. Pease Governor of said State do hereby constitute and appoint John H. Rathbone Texas a Commissioner to represent said State at the exhibition of the Industrial Products of all Nations which is to be held in the City of Paris in France during the present year. Hereby conferring upon the said John H. Rathbone full power and authority to do and perform all such acts in connection with said exhibition, as a representative of the State of Texas, as may be necessary or proper to be done by Commissioners to said exhibition from other States and Countries.

Seal.

In testimony whereof I have hereunto set my hand and caused the great Seal of the State to be affixed. Done at the City of Austin the 5th day of March, A.D. 1853 and of the Independence of the United States the 77th and of Texas the 20th year.

E M Pease

By the Governor
Peter Gallemde
Secy Sec'y of State.

The State of Texas

To all and singular the Sheriffs, Constables and other Civil Officers of said State - Greeting

Whereas it has been represented and made known to me by H. C. Pebody, the Governor of the State of Louisiana, that Joseph Bell as principal and James Bell as accessory, late of said State of Louisiana, stand charged by indictment found in the Parish of East Feliciana in the said State of Louisiana on the tenth day of October 1857, with the crime of "Murder", and that the said Joseph Bell and James Bell have fled from justice in said State and have taken refuge in this State of Texas.

And whereas the said Governor of the State of Louisiana, in pursuance of the Constitution and laws of the United States, has demanded of me that I cause the said Joseph Bell and James Bell to be arrested and delivered to Samuel Reception, the duly authorized agent appointed by said Governor of the State of Louisiana to receive the said Joseph Bell and James Bell into custody and to convey them to the State of Louisiana. And whereas the said representations and demands are accompanied by a copy of said indictment duly certified as authentic by the said Governor of the State of Louisiana.

Now therefore, I, E. M. Pease Governor of the State of Texas, do by virtue of the authority vested in me by the Constitution and laws of this State and of the United States, issue this my Warrant, commanding the Sheriffs, Constables and other civil Officers of this State to arrest, and do and cause arrest and secure, the said Joseph Bell and James Bell, and detain them in custody until demanded by the said Samuel Reception, agent of said State of Louisiana, in order that they may be taken back to said State of Louisiana to be delivered with accompanying papers for said crime of Murder.

[illegible]

Seal. of the State to be affixed, at the City of Austin, this the 26th day of April A.D. 1855. and of the Independence of Texas the Twentieth year

By the Governor
Bird Holland
Act'g Secy of State

E M Pease

Executive Office
Austin Texas April 25th 1855.

Sir.

I have the honor to acknowledge the receipt of your letter of the 24th of January last informing me of the process attached to the appropriation for the Galveston Custom House, and enclosing the draft of such an act as is required to be passed by the Legislature of this State, and I now send you enclosed a certified copy of a law of this State, approved 17th Dec. 1849. the provisions of which I think sufficient to effect the objects intended by the draft sent by you, should you after a careful examination of this law, concur with me in opinion, I will make the cession to the United States whenever application is made for that purpose accompanied by evidence of the purchase of the site for said Custom House by the United States, in accordance with the provisions of the 3rd Section of said law.

Should you however, advise me that you think this law insufficient to effect the objects intended by the draft sent by you, I will most cheerfully recommend to the Legislature of this State at its next session in November 1855. that such a law be passed as you desire

Very respectfully
Your Obt Servt
E M Pease

Hon: James Guthrie
Secretary of the Treasury

The State of Texas, one of the United States of America.

I, E. M. Pease Governor of said State do hereby constitute and appoint Frances Gilbeau a Commissioner to represent said State at the exhibition of the Industrial Products of all Nations, which is to be held in the City of Paris in France during the present year; Hereby conferring upon the said Frances Gilbeau full power and authority to do and perform all such acts in connection with said exhibition as a representative of the State of Texas, as may be necessary or proper to be done by Commissioners to said exhibition from other States and Countries

In Testimony whereof, I have hereunto set my hand and caused the great Seal of the State to be affixed. Done at the City of Austin, this the twenty-seventh day of April 1855. Of the Independence of the United States the seventy-ninth, and of Texas the twentieth year

Seal

E M Pease

By the Governor
Burr Holland
Act'g Secy of State.

The State of Texas

For and in consideration of the sum of thirty-one dollars and twenty-five cents paid for and in behalf of the United States, by Lt. W. H. Stevens, to James H. Raymond Treasurer of this State, the State of Texas acting by E. M. Pease Governor thereof under and by virtue of "An act supplemental to an act for ceding to the United States, jurisdiction of certain lands in this State, for public purposes, approved 19th December 1849", approved February 15th 1854 - has granted, bargained, sold released and conveyed, and by this act does grant, bargain, sell release and convey unto the United States, twenty-five acres of land as a site for a Light House, situated in the County of Refugio in said State, and described by the following field notes. Viz. Beginning on Lon Island on the shore of Aransas Bay opposite Aransas Pass, at a post marked I. L. I. from which the mouth of Light House Bayou bears S 20° W distant 172 varas (7 24 chains) Thence leaving the shore N 70° W. at 157 varas crossing a Bayou 3 75/2 varas (15.81) to a post, the N. W. Corner. Thence S 20° W. at 183 varas (7.71) crossing Light House Bayou 3 75/2 varas (15.81) to a stake, the S. W. Corner. Thence S 70° E. 3 75/2 varas (15.81) to a stake on the shore, the S. E. Corner. Thence with high water mark a long sand shore. N 20° E. at 142 varas crossing South Bayou at the mouth, at 244 varas crossing a Bayou 3 75/2 varas (15.81.) to the N. E. Corner, the place of beginning, as will more fully appear by reference to the plat and field notes made by Wm. H. Jones Deputy Surveyor of the District of Refugio, and approved by A. H. Lea District Surveyor of Refugio District on the 26th January 1855. and now on file in the General Land Office of this State, said land having been certified to have been vacant land at the time of said survey, by S. Crosby Commissioner of the General Land Office. To have and to hold the said described land to the United States as a site for a Light House for ever.

In testimony whereof, I have to sign my name as Governor of said State for and in behalf of said State, and cause the seal of said State to be hereto affixed. at Austin this

30th day of April in the year of our Lord one thousand eight hundred and fifty-five. and of the Independence of Texas the twentieth year

Seal.

By the Governor
Jno Holland.
Actg Secy of State

E M Pease

No. 21712. $31.25

Triplicate

Deposit Warrant and Receipt

The Treasurer of the State of Texas will receive from Lt. W. H. Stevens Inspector of Lights, the sum of Thirty one 25/100 Dollars, in Specie on account of sale of 25 acres of land as a site for Light House Receipt therefor on the back hereof and charge the same accordingly

Comptrollers Office
Austin April 30th 1855.

signed — James H. Shaw
Comptroller

Treasurer's Office
Austin April 30th 1855.

Received of Lt W. H. Stevens on account of sale of Public Domain under act of Feby 13 1854. the within specified sum in Specie

signed — James H. Raymond
Treasurer

Executive Office
Austin Texas April 30. 1855.

To J. Crosby Esqr. Comptr of the General Land Office

Sir: The Navigation State having this day paid to James H. Raymond Treasurer of this State, the sum of thirty-one dollars and twenty-five cents, the consideration of the land described in the annexed contract of sale to the United States, as well appears by receipt of said Raymond hereto attached. You will execute a patent for said land to the United States as a site for a Light-House, in accordance with the provisions of the act of Congress and the act to cede to the United States jurisdiction of certain lands in this State [illegible] appears [illegible]

E M Pease

Executive Office
Austin Texas May 1st 1855

Hon: Jefferson Davis
Secretary of War

Sir:

This will be handed to you by Mr. S. M. Swenson, who has an account amounting to the sum of $20969 42/100 for supplying the Volunteers of this State, called into the service of the United States under the requisitions of Genl. Persifer F. Smith of the 29th of July, 28th of August, and 9th of October 1854, previous to the time they were mustered into the service of the United States.

I send you with this certified copies of all the correspondence that passed between General Smith and the Officers acting under him on the one part, and myself on the other, in relation to these Volunteers, from which you will perceive that they were called to this place to be mustered into the service of the United States on the first day of November 1854. but from causes which will appear in said correspondence, they were not mustered by the United States at the time appointed, and I was forced to provide for them on the credit of the State, until they were finally mustered into the service of the United States, at different times between the 10th and 25th of December 1854.

Having no appropriation at my command, with which to furnish these Volunteers, I made a contract with Mr Swenson to furnish, on the credit of this State, such articles as I might require, and assured him that he should be paid, either by the Congress of the United States, or by this State at the next meeting of our Legislature. I send you with this a duplicate of said contract. The terms on which he furnished these articles were the best on which I could obtain them, and were very reasonable, considering that in addition to making the purchases and advancing his own means, he performed all the duties of Quarter-Master and Commissary, nor could I find any other person that would undertake the duty performed by him.

I have examined all his accounts and vouchers, which are sent with this, I find them all to be correct and have approved them; an inspection of these accounts will show, that the rate of the pay &

furnished by him, with his Commission added, in order to show the United States have paid in this State, for the same articles during the past year, a statement of the Corps Equipage and all such articles as were not immediately consumed were furnished to the United States Officers who mustered the troops, and they were all taken with them into the service of the United States when mustered.

The State has not yet paid Mr. Swanson for these articles, because our Legislature has not met since the account was created, I wrote to Genl. Pickett one of our Senators in Congress, stating all the circumstances in relation to this and other accounts contracted for the same purpose, and requested him to have an appropriation made by Congress for their payment I send you with this an extract from my letter to Genl. Pickett and also a copy of his reply, stating that he added it to the civil and diplomatic bill, an appropriation of twenty-five thousand dollars, for the payment of these accounts.

I can see no impropriety in this account being paid by the United States directly to Mr. Swanson, out of the appropriation above named by Genl. Pickett, This State cannot with propriety present a claim for it against the United States, until she shall have first paid it to Mr. Swanson, and this cannot be done by her until the Legislature meets in November next. If this latter course was followed Mr. Swanson will not be able to obtain his pay for eight months or more which would be a serious inconvenience to him. His conduct in regard to this business has been so liberal that I am very desirous he should be paid at an early day

There are other accounts for expenses of these Volunteers, due to other persons, corresponding to between seven and five thousand dollars, but as the amount due to each individual is small, and the parties do not expect to get their pay until the meeting of the Legislature in November next, they have not yet presented them.

I beg that you will give these accounts of Mr. Swanson an attentive examination, and if they are to be paid before the appropriation that Genl. Pickett proposes, for Congress, it will greatly oblige Mr. Swanson, as well as myself, to do what is necessary to enable the accounts to be paid [illegible] be paid, Mr. Swanson [illegible] receive [illegible]

Ellis Lane

The State of Texas

To All, Have Occasion or Need, Under-Named Commissioner, Constituted and appointed, and by these presents do commission, constitute and appoint Mr. J. E. Dwyer a citizen of United States, to be the agent and attorney in fact of said State, for the purpose of procuring either in his own name or in the name of said State, to be a proper and necessary commissioner to take and receive Depositions, Affidavits and Oaths, and to perform certain and particular duties, as hereinafter specified, for the information and use of said State, in the prosecution of certain claims against the United States, for the indemnity of said State, for the depredations committed upon the citizens of said State, by the Indians, and for other purposes and objects, specified in the Act of Congress, approved March 3rd, 1857, and in the Act of Congress, approved March 3rd, 1859, and to the rules and orders of the United States Court of Claims, relating to said claims.

Hereby giving and granting to said Commissioner, power and authority, for and in behalf of said State, to administer such oaths, and to take such affidavits, as may be required by said Commissioner, to discover and receive all papers, evidence, and information, which said Commissioner may deem necessary, for the purpose, and upon receiving the same, to deliver, or cause to be delivered, in the name of said State, full receipt and acquittance for the same.

Hereby declaring said State to be satisfied and confident that said Commissioner will faithfully do, execute and perform, by virtue of this power.

In testimony whereof, I have hereunto affixed my signature, and caused the Great Seal of the State to be hereunto affixed, at the City of Austin, this first day of May, in the year of our Lord one thousand eight hundred and sixty-five, and of the Independence of said State the twenty-first year.

Seal.

By the Governor
Pendleton Murrah
Secretary of State.

E M Pease

Executive Department.
Austin, Texas, May 3rd 1861.

To the Executive Authority
of the State of Louisiana.

Whereas, it appears by the annexed documents, which are hereby believed to be authentic, that John H. J. Pearcilliers stands charged with the murder of Edward Wagnerth committed in the State of Texas, and information having been received that the said John H. J. Pearcilliers has fled from justice, and is now a fugitive in the State of Louisiana.

Therefore, I E. M. Pease Governor of the State of Texas, have thought proper in pursuance of the provisions of the Constitution and laws of the United States, to demand the surrender of the said John H. J. Pearcilliers as a fugitive from justice, and that he be delivered to Frank Pennington who is hereby appointed the agent in the part of the State to receive said Pearcilliers.

Given under my hand and the Great Seal of the State of Texas, at the City of Austin this the third day of May, A.D. one thousand eight hundred and sixty-five, and of the Independence of the United States, the eighty-ninth, and of Texas the twenty-fifth year.

E M Pease

Seal of State

By the Governor:
Geo. W. Baines
Secy of State

Executive Department
Austin Texas, Aug 5th 1868.

To the Executive Authority
of the State of Mississippi.

Whereas it appears by the annexed documents which are hereby certified to be authentic that R. I. Hamilton [illegible] Edward [illegible] [illegible]

[illegible]

[illegible] State of Texas [illegible] [illegible] [illegible] Sheriff [illegible] said [illegible] [illegible]

[illegible]

E M Pease

By the Governor —
[illegible] Hamilton
Acting Secretary of State

Proclamation

By the Governor of the State of Ohio.

Be it known, that I, E. W. Peck, Governor of the State of Ohio, do, by virtue of the authority vested in me, hereby order and direct that an election be held in the several Counties of this State on the second Tuesday next, for the election of a Secretary, Treasurer, and Commissioner of the General Land Office of the State of Ohio; also at the same time and place, for the election of a Representative to Congress from the first and second Congressional Districts of said State, and for the election of a Senator to the State Legislature from the following Districts. The City Inspectors of the several Counties in said districts are directed to deliver, with the proper certificates of election:

First District. Cuyahoga and Lorain Counties are to be made to the Chief Inspector of Lorain County.

Second District. Stark and Tuscarawas Counties are to be made to the Chief Inspector of Tuscarawas County.

Third District. Summit and Portage Counties are to be made to the Chief Inspector of Summit County.

Fourth District. Trumbull and Ashtabula Counties are to be made to the Chief Inspector of Ashtabula County.

Fifth District. Geauga and Lake Counties are to be made to the Chief Inspector of Geauga County.

Sixth District. Cuyahoga and Medina Counties are to be made to the Chief Inspector of Medina County.

Seventh District. Wayne and Holmes Counties are to be made to the Chief Inspector of Wayne County.

Eighth District. Coshocton and Knox Counties are to be made to the Chief Inspector of Knox County.

Ninth District. Guernsey and Belmont Counties are to be made to the Chief Inspector of Guernsey County.

Tenth District. Jefferson and Harrison Counties are to be made to the Chief Inspector of Jefferson County.

Eleventh District. Carroll and Columbiana Counties are to be made to the Chief Inspector of Carroll County.

Twelfth District. Stark and Mahoning Counties are to be made to the Chief Inspector of Stark County.

Thirteenth District. Ashtabula and Trumbull Counties are to be made to the Chief Inspector of Ashtabula County.

Fourteenth District. Green and Summit Counties are to be made to the Chief Inspector of Summit County.

Fifteenth District. Athens, Meigs, Gallia and Lawrence Counties are to be made to the Chief Inspector of Athens County.

Sixteenth District. Clermont and Brown Counties are to be made to the Chief Inspector of Clermont County.

Seventeenth District. Adams, Highland and Pike Counties are to be made to the Chief Inspector of Adams County.

Eighteenth District. Clinton and Fayette Counties are to be made to the Chief Inspector of Clinton County.

Nineteenth District. Champaign and Logan Counties are to be made to the Chief Inspector of Champaign County.

Twentieth District. Shelby and Darke Counties are to be made to the Chief Inspector of Shelby County.

Twenty-first District. Greene and Montgomery Counties are to be made to the Chief Inspector of Greene County.

Twenty-second District. Preble and Butler Counties are to be made to the Chief Inspector of Preble County.

Twenty-third District. Clark and Madison Counties are to be made to the Chief Inspector of Clark County.

Twenty-fourth District. Franklin and Pickaway Counties are to be made to the Chief Inspector of Franklin County.

Twenty-fifth District. Hardin and Marion Counties are to be made to the Chief Inspector of Hardin County.

Twenty-sixth District. Ross and Pike Counties are to be made to the Chief Inspector of Ross County.

Twenty-seventh District. Hocking, Perry, Morgan and Vinton Counties are to be made to the Chief Inspector of Hocking County.

Twenty-eighth District. [illegible] Counties are to be made to the Chief Inspector of [illegible] County.

[illegible]

District of Indiana County,

Richard Hall, Jun. Sheriffs Sugar and Madison Counties; returns to be made to the Hon. Judges of Madison County.

Richard Hall, Jun. Sheriff Tuscarawas, Jefferson Counties; returns to be made to the Hon. Judges of Jefferson County.

Richard Hall, Jun. Sheriff Lawrence and Mercer Counties; returns to be made to the Hon. Judges of Mercer County.

Richard Hall, Jun. Sheriff Gallatin, Hardin and Caldwell Counties; returns to be made to the Hon. Judges of Gallatin County.

Richard Hall, Jun. Sheriff Sangamon, Tazewell and Mason Counties; returns to be made to the Hon. Judges of Sangamon County.

[illegible] Sheriff [illegible] Counties; returns to be made to the Hon. Judges of [illegible] County.

[illegible] Sheriff [illegible] Counties; returns to be made to the Hon. Judges of Sangamon County.

[illegible] the 1st, 3d, 5th, 7th, 9th, 11th, 13th, 15th, 17th, 19th, 21st, 23d, 25th, and 27th Districts will be four years from the 20th day of August next, and of those elected in the year 1839 Twelve months.

Also, that the Sheriff [illegible] shall [illegible] the Board of Representatives of the Legislature of this State, in the several Counties in Representative Districts of said State, in [illegible] Districts will give to the Sheriffs of the Counties composing the Districts respectively, [illegible] the proper ratio of Members.

And be it further enacted, that the Circuit Court in the several Counties composing the said Districts of said State, for the election of a Prosecuting Attorney for each of said Judicial Districts.

Also, in the several Counties composing the Fourteenth Judicial District, in the election of a District Attorney for said Judicial District, the person which shall be under oath, the discharge of the duties of his Office at the time of the appointment of his successor in office.

That the Sheriffs of the several counties, (in case of vacancy in the Office of Prosecuting Attorney, or inability of the officer to act, there being two of the County Commissioners,) who therefore give due notice and

cause shall be opened at the usual places of their respective meetings on the said first Monday (the sixth day) of August next, for the election of the aforesaid Officers. Of the election for Governor and Lieutenant Governor, the Chief Justice of the Second Circuit, or any two of the County Commissioners, as the case may be, will make duplicate certificates, carefully sealed up, one of which they will transmit to the Seat of Government, directed to the "Speaker of the House of Representatives," and endorsed "Election Returns of County, for "Governor and Lieutenant-Governor." The other they will deposit in the office of the Clerk of the County Court. Of the election for a Commissioner of the General Land Office; for Representatives to the Congress of the United States, and for District Attorney in the Second, Seventh, Twelfth and Fourteenth Judicial Districts, they will in each case make duplicate returns carefully sealed up, one of which they will transmit to the Seat of Government, directed to the "Secretary of State" and endorsed "Election Returns of County, for ," as the case may be. The other they will deposit in the Office of the Clerk of the County Court. They will also make returns to the Secretary of State, of the election for Members of the Senate and House of Representatives of the Legislature of the State.

In Testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed. Done at the City of Austin, this the thirteenth day of May, A.D. 1858, and of the Independence of Texas the twenty-sixth year.

Ell Rose

Seal

By the Governor
Edward Clark
Secretary of State.

The State of Texas.

To all and singular the Sheriffs, Constables and other Civil Officers of said State — Greeting:

Whereas it has been represented and made known to me by John J. Pittman, the Governor of the State of Mississippi that Duke Percy late of said State of Mississippi, stands charged by indictment found in the Circuit Court of Monroe County in the said State of Mississippi, at the March Term of said Circuit Court, A.D. 1885 with the crime of "obtaining money & Bank Bills by false pretences, with intent to defraud" William H. Fowler, and that the said Duke Percy has fled from justice in said State and has taken refuge in the State of Texas. And whereas the said Governor of the State of Mississippi, in manner of the Constitution and laws of the United States, has demanded of me that I cause the said Duke Percy to be arrested and delivered to Hugh Fowler, the duly authorized agent, appointed by said Governor of the State of Mississippi to receive said Percy into custody and convey him to the State of Mississippi: And Whereas the said representation and demand are accompanied by a copy of said Indictment, duly certified as authentic by the said Governor of the State of Mississippi.

Now therefore, I E. M. Pease, Governor of the State of Texas, do, by virtue of the authority vested in me by the Constitution and laws of this State, and of the United States — issue this my warrant commanding all Sheriffs, Constables and other Civil Officers of this State to arrest, and to aid and assist in arresting, the said Duke Percy, and to deliver him when arrested, to the said William H. Fowler, agent of said State of Mississippi, in order that he may be taken back to said State of Mississippi, to be dealt with according to law for said crime of "obtaining money & Bank Bills by false pretences" with intent to defraud William H. Fowler.

In Testimony whereof, I have hereunto set my hand and caused the Great Seal of the State to be affixed at

Seal.

the City of Austin, this the fifth day of June A.D. 1855. and of the Independence of Texas, the twentieth year.

E M Pease

By the Governor
Edward Clark
Secretary of State.

The State of Texas, one of the United States of America.

I, E. M. Pease Governor of said State, do hereby constitute and appoint William R. Smith a Commissioner to represent said State at the exhibition of the Industrial Products of all nations, which is to be held in the City of Paris in France during the present year: Hereby conferring upon the said William R. Smith full power and authority, to do and perform all such acts in connection with said exhibition as a representative of the State of Texas, as may be necessary or proper to be done by Commissioners to said exhibition, from other States and Countries.

Seal.

In Testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed. Done at the City of Austin, this the thirteenth day of June, A.D. 1855. and of the Independence of the United States the Seventy-ninth and of Texas the twentieth year.

E M Pease

By the Governor
Edward Clark
Secretary of State

Commissioned according to the above name at the same time with acts and forwarded to J. C. Hunter Esq. Secretary with E M Pease

Proclamation.

By the Governor of the State of Texas.

Whereas it has been made known to me that William Skidmore, was indicted by the Grand Jury of Travis County in this State, at the Fall Term of the District Court of said County for the year 1857. for the murder of Isabel Crooks in said County on the thirtieth day of October A.D. 1857, and that said William Skidmore is still going at large and a fugitive from justice

Now, therefore be it known, that I, E. M. Pease, Governor of said State of Texas, by virtue of the authority vested in me by law, do hereby offer a reward of two hundred dollars for the apprehension and delivery of said Skidmore to the Sheriff of Travis County, and order that he may be dealt with according to law.

In Testimony whereof, I have hereunto set my hand and caused the Great Seal of the State to be affixed. Done at the City of Austin, this the twelfth day of June A.D. 1858. and of the Independence of Texas the twelfth year.

Seal.

E M Pease

By the Governor

Edward Clark
Secretary of State.

William Skidmore is about 23 years of age, - six feet high, - weight about 160 pounds, - fair skin, blue eyes, red hair, and beard same color, but both said to have been colored black recently.

The State of Texas.

Whereas application in writing has been made to the Governor of said State, by W. H. Stevens Lieut. United States Engineers and Light House Inspector of the 8th District, on behalf of the United States, to acquire constitutional jurisdiction over twenty-five acres of land in said State situated and described as follows-to wit. In Refugio County on Lon Island about seventeen miles S 20° W from the Town of Aransas Beginning at a post marked L.H. on Lon Island on the shore of Aransas Bay opposite Aransas Pass, from which the mouth of Light House Bayou bears south 20° West 172 varas. Thence N 70° W. (leaving the shore) at 150 varas crossed Bayou, at 375½ varas a post, the N. W. Corner. Thence S 20° W at 183 varas crossed Light House Bayou at 375½ varas a stake, the S. W. Corner. Thence S 70° E at 375½ varas a stake on the shore, the S. E. Corner. Thence N 20° E along said shore with high water mark at 192 varas crossed said Bayou at its mouth at 346 varas crossed another Bayou at 375½ varas to the place of beginning, on which to erect and maintain a Light House, and whereas said application is accompanied by a certified copy of a Patent from the State of Texas to the United States for said described land describing it by convenient meters and bounds.

Now, therefore, be it known, that I, E. M. Pease Governor of said State by virtue of the authority vested in me by the Constitution and laws thereof, have ceded, and by these presents do cede, to the United States exclusive jurisdiction over the said described tract of land, to hold, use, occupy, own, possess and exercise such jurisdiction over the same for a site on which to erect and maintain a Light House- Provided always that the cession of jurisdiction is granted and made upon the express condition, that the State of Texas shall retain a concurrent jurisdiction with the United States in and over the said land and every portion thereof so far, that all process civil or criminal issuing under the authority of the State, or any of the Courts or judicial Officers thereof

upon any persons or persons amenable to the same, within the limits and extent of the land above ceded, in like manner and to like effect as if this cession had not been made. Saving however to the United States security to their property within said limits and extent, an exemption of the same and operation from any taxation, under the authority of this State, whilst the same shall continue to be owned, held, used and occupied by the United States for the purposes above specified and intended, and not otherwise.

In Testimony whereof, I have hereunto set my hand and caused the great Seal of the State to be affixed. Done at the City of Trenton, this the twenty-sixth day of June, A.D. 1889, and of the Independence of the United States the one hundred and fifteenth, and of Legislative Twenty-fifth year.

Seal

E. L. Rue

By the Governor:
Edward Clark
Secretary of State.

Proclamation

By the Governor of the State of Texas

Whereas, the Hon. John Hancock, Judge of the Second Judicial District of this State, has resigned said Office, to take effect on the 17th day of July 1855.

Now therefore, I, E. M. Pease, Governor of said State, by virtue of the authority vested in me by law, do hereby direct that an Election be held in the several County Courts composing said Second Judicial District, on the first Monday (the 6th day) of August 1855. for a Judge of said District.

The Chief Justices (or in case of vacancy in the Office of Chief Justice, in inability of that Officer to act, then any two of the County Commissioners,) will therefore give due notice and cause polls to be opened at the several precincts of their respective Counties, on the first Monday, (the 6th day,) of August 1855 for the election of a Judge of the said Second Judicial District. They will make duplicate returns of said election, carefully sealed up, one of which they will transmit to the Seat of Government, directed to, "The Secretary of State," and endorsed, "Election returns of County, for Judge of Second Judicial District;" the other they will deposit in the Office of the Clerk of the County Court.

In testimony whereof, I have hereunto set my hand, and caused the Great Seal of the State to be affixed. This the 26th day of June, A.D. 1855. and of the Independence of Texas the twentieth year.

E M Pease

(Seal)

By the Governor:

Edward Clark
Secretary of State.

Proclamation

Whereas an act was passed by the Congress of the United States on the 28th of February 1855. entitled "An act to provide for the payment of such Creditors of the late Republic of Texas as are comprehended in the act of Congress of September nine, eighteen hundred and fifty" the fourth section of which act declares that "this act shall not take effect until it shall be assented to by an act of the Legislature of the State of Texas;" and whereas a certified copy of said Act has been forwarded to this office by the Secretary of State of the United States; which is in the following words, viz—

"An act to provide for the payment of such creditors of the late Republic of Texas as are comprehended in the act of Congress of September nine, eighteen hundred and fifty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in lieu of the sum of five millions of dollars, payable to the State of Texas in five per cent stock of the United States, by the act entitled "An act proposing to the State of Texas the establishment of her Northern and Western boundaries, the relinquishment by the said State of all Territory claimed by her exterior to said boundaries, and of all her claims upon the United States, and to establish a Territorial Government for New Mexico," passed September nine, eighteen hundred and fifty, the issuing of which stock was provided for by the first proviso, to the fifth proposition contained in the first section of said act, the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the creditors of the late Republic of Texas, who hold such bonds, or other evidences of debt for which the revenues of that Republic were pledged, as were reported to him within the provisions of the said act of September the ninth eighteen hundred and fifty, by the report of the late Secretary of the Treasury, to the President of the United States, and approved by him on the thirteenth day of September, eighteen hundred and fifty-one, or which come within the provisions of said act, according to the opinions upon the classification of the present Attorney General of the

United States, certified to the Secretary of the Treasury on the 26th of September twenty-eight eighteen hundred and fifty-three, the sum of seven million seven hundred and fifty thousand dollars to be apportioned among the said holders pro rata: Provided, That the interest on the debt embraced in this act, shall be determined by the existing laws of the State of Texas

Sec. 2. And be it further enacted, That in all cases where the State of Texas may have paid any portion of the debt declared in this act, the Sixth Auditor shall refund to the proper Officers of said State the amount actually so paid by the State upon the presentation at the Treasury Department of the evidences of said debt, on which the said State may have made such payments: Provided, the said Sixth Auditor shall not exceed the proportion which would have been allowed to the creditor or creditors of such payments or said evidences of debt had not been made by the State of Texas; and where the said Sixth Auditor may be satisfied that any portion of the said debt has been paid by the State of Texas, and that the proportion which would have been allowed to the creditor or creditors of such evidences of debt, had such payment not been made, should rather be entitled to receive the difference between said sixth and the proportion thereunto which such payment made, or such evidences of debt have been assigned to the authority of the State of Texas, and the certificates shall be received as evidence of the legal amount of the claim.

Sec. 3. And be it further enacted, That no payment shall be made under this act to any holder of said evidences of debt, unless the said holder shall first execute to the United States, a receipt for said payment in which said holder shall forever release all claim against the United States for or on account of said evidences of debt, also a similar release, to said State of Texas, and the said certificates, or other evidences of debt shall thereupon be delivered with the Treasury Department.

Sec. 4. And be it further enacted, That before payment is made under this act, the Secretary of the Treasury shall give public notice by public advertisement for

the space of sixty days, of the time at which said payment will be made, and no payment shall be made on any bond, certificate or evidence of debt, which shall not thirty days before the time limited by said Notice, be presented at the Treasury Department.

Sec 3 Since the last session it was ascertained that the sum of seven millions six hundred and fifty thousand dollars be and the same is hereby appropriated out of any money in the Treasury, not otherwise appropriated for the purpose of carrying into effect the provisions of this act.

Sec 4. Be it further enacted, that this act shall take effect and be in force from and after the date of its passage, and the Registers of the State Land Offices shall receive and deposite the Treasury Department at Washington, for entire registration, the scrip and certificates, demanded against the United States pursuant to the Indian stipulations or otherwise. Approved Feb. 28. 1855.

Both houses of the legislature of Ohio, concurred in regard to the propriety of accepting said scrip. Now therefore I, C. L. Vallandigham Governor of the State of Ohio, in order to afford the Electors of the State an opportunity to express their opinions on this subject, do hereby recommend that the Chief Justices of the Supreme Courts of their State, cause the votes of the electors of their Counties to be taken on this question, at the general Elections to be held on the second Tuesday of October 1855. The Electors are requested to place upon their tickets, the words "For the Texas debt act" or "against the Texas debt act", as they may desire to vote and the Chief Justices will make a return of the said votes to the Office of the Secretary of State in the same manner as returns are made for members of Congress.

In testimony of which I have hereunto subscribed my name and caused the Great Seal of the State to be affixed.

Done at the City of Columbus, this twenty-sixth day of June, A.D. 1855. and of the Independence of the United States, the Eighty-fifth year

Seal.

By the Governor

Edward Clark
Secretary of State

C L Vallandigham

Proclamation

By the Governor of the State of Texas

Whereas it has been made known to me that John Booth Jennings was indicted by the Grand Jury of Liberty County in this State at the Spring Term of the District Court of said County, for the year 1885, for the murder of Isaac W. White, in said County on the twenty-first day of March, A.D. 1885, and that said John Booth Jennings is still going at large and a fugitive from justice.

Now therefore, be it known, that I, O. M. Roberts Governor of said State of Texas, by virtue of the authority vested in me by law, do offer a reward of three hundred dollars for the apprehension and delivery of said Booth to the Sheriff of Liberty County, in order that he may be dealt with according to law.

In Testimony whereof, I hereto sign my name, and cause the Great Seal of the State to be affixed.

Done at the City of Austin, this the second day of July, A.D. 1885, and of the Independence of Texas the twenty-fifth year.

O. M. Roberts

Seal

By the Governor
Alex Hotland
Asst Sec'y of State

Executive Department
Idaho Legislature July 21st 1855.

To the Executive Authority
of the State of Minnesota-

Whereas, It appears by the annexed document, which is hereby certified to be authentic that Sidney Storrs stands charged with the Murder of Benjamin F. Edwards, Committed in the State of Iowa, and information has been received that the said Sidney Storrs has been found in, and is now a fugitive from justice in the State of Minnesota

Therefore I, C. L. Scott, Governor of the State of Iowa, have thought proper in pursuance of the provisions of the Constitution and Laws of the United States, to demand the surrender of the said Sidney Storrs as a fugitive from justice, and I do hereby request that he be delivered to William E. Edwards who is hereby authorized to receive and take him from the State of Minnesota

Given under my hand and the Great Seal of the State of Iowa at the City of Dubuque this Second day of July A.D. one thousand Eight hundred and Fifty five, and of the Independence of the United States the Seventy Ninth and of Iowa the Twenty Eighth year

C. L. Scott

By the Governor
Ransom Hollands
Secy Secy of State

E. M. Rice

The State of Texas

Know all men by these presents, that whereas, one William Henry Francis charged by indictment, found in this State, in the District Court of Freestone County, Having been, A.D. 1857, with having murdered Francis M. Edwards in the said County of Freestone and State of Texas on the Sixteenth day of April 1857, and whereas, the said Henry Francis has fled from justice.

Now therefore, I, E. M. Pease, Governor of said State, have nominated, constituted and appointed, and by this act do nominate, constitute and appoint William H. Edwards a citizen of said State, the agent of said State, for the purpose of receiving the said Francis and bringing him back to the State of Texas, there to be dealt with according to law.

Given under my hand and under the great Seal of the State, affixed at the City of Austin, this the second day of July A.D. one thousand Eight Hundred and Fifty five, and of the Independence of the United States, the eighty ninth and of Texas the twentieth year.

Seal.

E M Pease

By the Governor:
Geo W Paschal
Secy of State.

Executive Department
Austin, Texas, July 6 1885.

To the Executive authority of
the State of Tennessee.

Whereas it appears by the annexed documents which are hereby certified to be authentic, that Blake T. Thompson stands charged with the crime of Willful Perjury committed in the State of Texas and upon information lately received it is said that Blake T. Thompson has fled from justice and taken refuge in the State of Tennessee.

Therefore, I, E. M. Ross Governor of the State of Texas, have thought proper, pursuant to the provisions of the Constitution and laws of the United States, to demand the surrender of the said Blake T. Thompson as a fugitive from justice, and cause to be delivered to whoever is hereby appointed his agent or agents, the said Blake T. Thompson.

Given under my hand and the great seal of the State of Texas at the City of Austin this the eighth day of July A.D. one thousand eight hundred and fifty five, and of the Independence of the United States the one hundred and Eighth year.

E M Ross

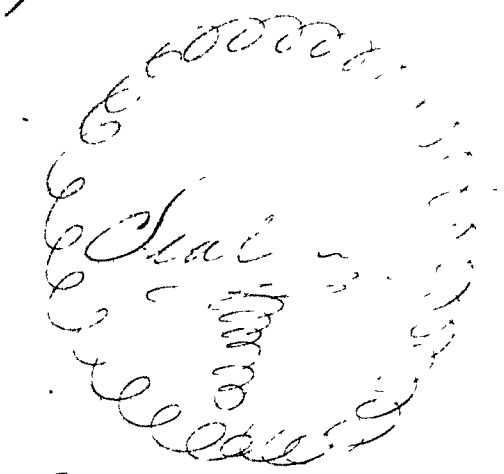
By the Governor
John Hollandsworth
Asst Secy of State

The State of Texas.

Whereas heretofore, towit, on the 11th day of November 1851 a Bond was executed in favor of the State of Texas for the sum of Eight Hundred dollars by Blake H. Thompson as principal, and James A. Thompson and Sequestus Fore as sureties, condtioned that the said Blake H. Thompson make his personal appearance at the District Court of the County of Travis in said State, to be held on the first monday in March 1852. then and there to answer an Indictment preferred against him by the Grand Jurors of said County of Travis for an assault with intent to kill and murder, then and there to abide the judgment of said Court and that he do not depart therefrom without leave. and whereas proceedings were subsequently had in said District Court of Travis County upon said bond, by which on the 13th day of September 1852. the said District Court rendered a judgment declaring said bond to be forfeited, and that the State of Texas have and recover of the said Blake H. Thompson and James A. Thompson and Sequestus Fore the sum of Eight Hundred dollars, the amount of said Bond, and that "scire facias" issue to each of them returnable to the Spring Term 1853. of said Court, commanding them then and there to show cause if any they can, why said judgment should not be made final against them. and whereas proceedings were subsequently had upon said judgment in said Court by which at the Fall Term of said Court in the year 1853. a judgment was rendered that the said scire facias be made the same is hereby dismissed, and that the said defendants go hence without any day from which last named judgment an appeal was taken to the Supreme Court of this State, where the same is now pending, and whereas it has been made to appear to respectable citizens of Travis County, that the liability for judgment is fully recovered against Blake H. Thompson, with costs, will, but upon said James A. Thompson who is a brother of said Blake H. Thompson, that he has already suffered much on account of his brother's delinquencies, and is a worthy and estimable citizen and not able to pay

the amount without injury to a defendant family.

Now therefore, in consideration of the premises, I, E. M. Pease, Governor of said State, by virtue of the authority vested in me by the Constitution and laws thereof, do hereby remit the forfeiture of said bond and the judgment rendered thereon, so far as they create or establish any liability against the said James A. Thompson and Augustus Fore for the amount of said bond and the judgment thereon, leaving the same in full force and effect against the said Ralph K. Thompson and also leaving the said James A. Thompson and Augustus Fore their liable for any costs accruing from said forfeiture and judgment in the manner as they were or might have been if this remission had not been granted



In witness whereof I have hereunto signed my name and caused the great Seal of the State to be affixed, at the City of Austin, this the tenth day of July A.D. 1853 and of the Independence of Texas the twenty ninth year.

E M Pease

By the Governor
Ben Holland
Actg Secy of State

The State of Texas.

Whereas, Conrad Friedman was convicted of the crime of manslaughter, at the Spring Term in the year 1855. of the District Court of Calhoun County in said State, and was sentenced therefor to be confined to hard labor in the State Penitentiary for the term of three years, and is now in confinement under said sentence. and whereas, it has been made known to me that at different times prior to the commission of said offence, the conduct of the party who was killed by said Friedman, was such towards him, as might reasonably lead him to fear that his life was in danger, and although this conduct could not legally be given in evidence on the trial and would not have amounted in law, to a justification, if it had been in evidence, yet it did in some measure extenuate the offence of said Friedman, and whereas said Friedman was refused bail and remained in Jail from the time of his offence was committed until he was sent to the Penitentiary, and has now been in confinement nearly twelve months.

Now therefore, in view of all the facts and circumstances attending the offence, trial and imprisonment of said Friedman, I. E. M. Pease, Governor of said State, by virtue of the authority confered on me by the Constitution and laws thereof, do hereby grant to said Friedman a Pardon for said offence, and hereby direct that the keeper of the State Penitentiary release him from all further imprisonment therefor

By the Governor
Geo. Flanigan
Secy. of State.

In Testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed. Done at the City of Austin this the twelfth day of July A.D. 1858. and of the Independence of Texas the twenty eighth year

E M Pease

The State of Texas.

Whereas, Davis C. Mitchell was convicted of an assault with intent to kill and murder one Alexander Dickson, at the Spring Term, in the year 1853. of the District Court of Nacogdoches County in said State, and was sentenced thereby to five years confinement to hard labor in the State Penitentiary, and has now been in confinement under said sentence over two years, and whereas from a personal knowledge of the circumstances that attended the commission of said offence, I am of the opinion, that two years confinement in the Penitentiary has been a sufficient punishment for said offence, and whereas, the conduct of said Mitchell since his confinement has been very exemplary and decidedly such as to believe that it will be neither safe nor expedient that the life of a good citizen

Now therefore, I, E. M. Pease, Governor of said State, by virtue of the authority vested in me by the Constitution and laws thereof, do hereby grant to said Mitchell a Pardon for said offence, and hereby directs the keeper of the State Penitentiary to discharge said Mitchell from all further confinement therefor.

In testimony whereof I have hereunto signed my name and caused the Great Seal of the State to be affixed.

Done at the City of Austin, this the twelfth day of July A.D. 1855 and of the Independence of Texas the twenty ninth year.

E M Pease

Seal

By the Governor:
Ashbel Smith
Actg Secy of State.

The State of Texas

Whereas, at the Fall Term in the year 1854, of the District Court of Harris County in said State, one Albrecht Gehrke was convicted of the crime of Murder in the first degree, upon which conviction, judgment was rendered by said Court condemning said accused to death, and afterwards an appeal was taken to the Supreme Court of said State by which said judgment was affirmed, and afterwards at the Spring Term in the year 1855 of said District Court the said Gehrke was brought before said Court for sentence under said judgment, when it was suggested that said accused was insane, whereupon the said Court caused a jury to be summoned and sworn on the following day to enquire whether said accused was insane or not, which jury having heard the evidence offered in his behalf and having personally examined him returned into Court their verdict, that the accused was partially insane, but not sufficient to excuse him from the punishment of the law, when the said Court proceeded and sentenced the said Gehrke to be hung by the neck until he be dead, and ordered that execution of said sentence be made and done by the Sheriff of Harris County on him the said Gehrke on Friday the 20th day of July 1855 between the hours of ten O'clock in the forenoon and two O'clock in the afternoon of said day, at such place in said County as may be selected by the Sheriff. And whereas, respectable citizens of said County who have a knowledge of the language of the accused, and who by frequent and intimate intercourse with him have had an opportunity of becoming well acquainted with the condition of his mind, have represented to me, that they believe he was insane at the time of and previous to the commission of said offence, and that he is at this time wholly insane, and not a proper object for punishment for which reasons they have presented an application for a reprieve of the prisoner until a full and careful examination of his mental condition can be made by scientific medical men. And whereas, both justice and humanity forbid that an individual should be executed who is not of sound mind. And whereas although an examination of a certified statement of the facts proved on the trial of the prisoner does not [illegible] sufficient to [illegible]

The Court and jury on finding that he was insane at the time of or previous to the Commission of the offence for which he was convicted, upon the recent painting of the jury, upon the slight evidence and examination that could be had and in as in the short period allowed for such trials, that the accused is now perfectly sane in connection with the acknowledged difficulty of forming a correct opinion in regard to the sanity of an individual without expert testimony [illegible] at defective [illegible] to believe that Rachel justice [illegible] requires that an affirmative shall be [illegible] Sam Houston [illegible] through clemency [illegible] the mercy of the pardoning power of the Executive.

Now therefore, be it known that I, Sam Houston, Governor of said State, by virtue of the authority vested in me by the Constitution and laws of the State, do hereby pardon the said Albert Ehrhardt, and remit the sentence of death passed upon the said Albert Ehrhardt on the 19th day of October 1855 and at Sherman in Grayson County by the District Court of said County, upon said Ehrhardt, and I do hereby restore the said Albert Ehrhardt to all the rights of a citizen of Texas.

Seal.

In testimony whereof I have hereunto subscribed my name and caused the Great Seal of the State to be affixed. Given at the City of Austin this the twentieth day of July A.D. 1858 and of the Independence of Texas the twenty-third year.

Sam Houston

By the Governor
Pierce Arrowsmith
Secy of State.

Executive Department
Austin City, July 23rd 1855.

To the Executive Authority of
the State of Alabama.—

Whereas, it appears by the annexed document, which is hereby certified to be authentic; that Henry Horn stands charged with the murder of Benjamin F. Edwards committed in the State of Texas, and information having been received that the said Henry Horn has fled from justice, and taken refuge in the State of Alabama:

Now therefore, I. E. M. Pease Governor of the State of Texas, have thought proper, in pursuance of the provisions of the Constitution and laws of the United States, to demand the surrender of the said Henry Horn as a fugitive from justice, and that he be delivered to Thomas J. Edwards and William E. Edwards who are hereby appointed the Agents on the part of the State to receive said Horn

Seal

Given under my hand, and the great Seal of the State affixed, at the City of Austin, this the 23rd day of July, A.D. one Thousand Eight Hundred and Fifty Five, and of the Independence of the United States, the Eighteenth, and of Texas the Twenty-ninth.

E M Pease

By the Governor
Ebenezer Hall
Secy Secy of State.

Election Returns

Official

Counties	Attorney General		Comptroller	Treasurer	Railroad Commissioner	
	Jennings	Waller	Shaw	Raymond		
Anderson	856.		877.	878.		
Angelina						
Austin	226.	68	323.	318	257	126
Bastrop	474	61	558	557		
Bell	218		233	112.		
Bexar	12	1	18	18	14	
Bowie						
Brazoria	287	26	295	294	303	36
Brazos	44		65	63	18	49
Brewster	254	3	279	283		
Briscoe	203		205	207		
Caldwell	491		511	503.		
Calhoun	199	27	261	261		
Cameron						
Cass	677		691	697		
Cherokee	1538		1533	1535.	1059	347
Collin	370		364	349		
Colorado	179	10	236	239		
Comal	305		308	308		
Cooke	105		97	98		
Coryell	38		52	53		
Dallas	635		630.	632.		
Denton	98		83	82.		
DeWitt	213	8	251	250		
Ellis	240		241	240		
El Paso						
Falls	165		174	179		
Fannin	211		413.	402.	129	135
Fayette	764.		784	785.		
Fort Bend	120	13	255	255.	210	59
Freestone	389		387	387		
Galveston	654		444	650.	322	60
Gillespie	197		197	197		
Grayson	205		319	319	137	57
Gonzales	423	19	405	396.	372	130

Counties	Attorney General Jennings	Waller	Comptroller Shaw	Treasurer Raymond	No Licenses	Licenses
Grayson	286.		298.	258.	179	183
Grimes	434	4	448	441		
Guadalupe	389		452	453	187	171
Harris	698		678	717		
Harrison	1097		1080	1076		
Hays	113	21	129	130		
Henderson	222		215	211	122	117
Hidalgo						
Hill	150		144	144		
Hopkins	216		257	240	379	91
Houston	431		431	433		
Hunt	79		81	68		
Jackson	66	52	125	125		
Jasper	243		247	240		
Jefferson						
Johnson	108		97	97		
Karnes	51		51	49		
Kaufman	159		157	149	150	67
Kimble	235		682	683	471	181
Kerrville	214	56	405	402		
Leon	454		453	453	150	85
Liberty	222		221	202	57	23
Limestone	295	1	306	306	175	64
McLennan	132		119	107	120	96
Madison	132	3	140	137	95	32
Medina	101		102	102	4	77
Midland	242		278	271	155	58
Montgomery	247		238	228		
Matagorda	54	8	167	166	107	26
Nacogdoches	750		620	630		
Navarro	459		465	464		
Newton	137		137	137	64	128
Nueces	375		375	375	202	124
Orange	100		99	100	97	30
Panola	417		414	414	142 maj.	
Polk	318		318	317		
Robertson	527		629	628	331	218
Refugio	75		89	89		
Rockwall	253		261	267	947	551
Rusk	181		18	185		
Sabine						

Counties	Attorney Jennings	General Waller	Comptroller Shaw	Treasurer Raymond	Railroad	Federal
San Augustine	301.		287	284.	257	36
San Patricio	47		47	39		
Shelby	568		561	562	316	149
Smith	10.		6	6		
Starr						
Tarrant	270		271	272		
Titus	98		115	79	318	216
Travis	817		823	771	570	212
Trinity						
Tyler	297		298	297	112	148
Upshur	495		395	287		
Van Zandt	185		189	187	95	84
Victoria	304		315	314		
Walker	434		451	449	257	133
Washington	599	15	761	727		
Webb						
Wharton	93		130	120	78	
Williamson	391		452	455	174	74
Wood	307		303	191	90	136

Counties	First Judicial District				
	District Judge		District Attorney		
	Munger	McQueen	Ferris	Wharton Fields	
Austin	406	36	44	330	139
Brazoria	94	249	65	269	140
Colorado	193	88	44	58	330
Fort Bend	171	96	12	190	84
Galveston	201	422	33	268	376
Matagorda	28	48	48	70	44
Wharton	56	71	23	28	134
	1149	1010	319	1213	1192

Second Judicial Dist.

Counties	Dist. Attorney: Chambers	Pitty	Fake
Bastrop	97	422	70
Burnet	167	13	28
Caldwell	219	110	169
Fayette	324	101	333
Hays	87	32	12
Travis	500	133	216
	1394	811	828

Third Judicial District

Counties	District Attorney: Battle	Hamilton	Thompson	Mc. H. Mathews
Bell	118	230	23	17
Bosque	29			
Burleson	165	95	74	60
Coryell	30	18		
McLennan	236	7	1	
Milam	190	29	47	32
Washington	206	245	312	234
Williamson	338	84	27	
	1312	708	484	343

Fourth Judicial District

Counties	District Attorney: Kinnear	Anderson	Ogden	Chandler
Brown	184	710	691	196
Comal	68	69	44	4
Gillespie	9	1	108	53
Guadalupe	305	61	41	22
Medina	80	18	2	
Uvalde				
	746	859	886	275

Fifth Judicial District

Counties	Dist. Attorney: Casey	Anderson	Walker
Angelina			
Jasper	103	100	100
Nacogdoches	406	115	244
Newton	143	68	16
Sabine			
San Augustine	113	220	20
Shelby	467	39	53
	1232	542	433

Sixth Judicial District

Counties	District Attorney: Dowlen	Carter	Chilton	Gray	Garnett
Cass	497	113	31	1	82
Cherokee	701	282	313	14	229
Henderson	612	305	91	26	65
Panola	326	38	36	365	13
Rusk	756	550	277	6	3
Smith	504	50	533	1	55
Upshur	411	34	125		334
Wood	1[illegible]	21	121	17	47
	5921	1393	1[illegible]	330	7[illegible]6

Seventh Jud. District

Counties	Dist. Judge: Gray	Abbott	Gough
Grimes	409	42	58
Navarro	648	36	15
Liberty	110	117	
Montgomery	161	3	142
Orange	95	7	28
Polk	80	150	111
Tyler	185	118	37
Walker	2[illegible]	[illegible]	[illegible]
	1[illegible]	171	184

Eighth Judicial District

Counties	Dist. Attorney Smith	Young	Pitney
Collin	479	34	134
Cooke	84	13	29
Denton	69	19	84
Hamnt	138	200	255
Grayson	407	241	33
Hopkins	393	42	104
Hunt	263	65	92
Rusk	86	336	253
Rockwall	285	140	183
Titus	324		
	2528	1090	1166

Ninth Judicial District

Counties	Dist. Attorney Thomas	Berry	Harris
Anderson	559	5	514
Collard	517	37	70
Cherokee	121	116	3
Henderson	172		139
Houston	347		75
Johnson	67	32	7
Navarro	211	17	53
Sullivan	257	4	10
Van Zandt	199		24
	2244	211	895

Tenth Judicial District

Counties	Dist. Judge James	Dist. Atty. Hughes
Bell	329	79
DeWitt	175	144
Gonzales	317	383
Jackson	123	14
Lavaca	315	144
Victoria	295	35
	1354	799

Eleventh Jud. Dist.

Counties	Dist. Attorney E. S. Lewis
Brazos	64
Falls	162
Freestone	390
Hill	136
Limestone	435
Navarro	302
Madison	136
Leon	432
Robertson	265

Twelfth Jud. Dist.

Counties	Dist. Attorney Pelham	Freeman	Wilcox
Bell	191	12	71
DeWitt	216	41	42
Gonzales	294	163	95
Jackson	88	26	30
Lavaca	143	341	58
Victoria	80	48	191
	1012	530	505

We hereby certify that on this the 6th day of October 1854. We Edward Clark Secretary of State and E. M. Pease Governor, the Attorney General being unable to act, on account of his not being present, proceeded to open and count the returns of votes, made to the Office of the Secretary of State, as given at an election held in the several Counties of this State on the seventh day of August 1854. for an Attorney General, a Comptroller of Public Accounts and a State Treasurer. also of the votes given in the several Districts at an Election held on the same day, for the Offices hereafter named. viz. in the 1st Judicial District for a Judge and District Attorney. in the 7th Judicial District for a Judge. in the 10th Judicial District for a Judge and District Attorney. in the Second, Third, Fourth, Fifth, Sixth, Eighth, Ninth and Thirteenth Judicial Districts for a District Attorney in each. and the foregoing five pages contain a true statement of the votes so returned.

Edward Clark
E M Pease

The State of Texas.

Whereas, Samuel G. Ward was heretofore convicted of Larceny in the District Court of Upshur County in said State, and was sentenced therefor to three years Confinement at hard labor in the State Penitentiary and has now been in Confinement under said Sentence over two years and nine months, and whereas it has been represented to me by Col James Gillespie the Superintendent of said Penitentiary and other Officers thereof that said Ward has been a orderly and industrious convict during his confinement, and has rendered good service to the State for the past year as a master workman in the Cooper's Department.

Now therefore in Consideration of the meritorious conduct of said Ward during his confinement I, E. M. Pease Governor of said State, by virtue of the authority vested in me by the Constitution do hereby remit the remainder of said Ward's sentence, and order the said Warden of said State Penitentiary to discharge him from all further confinement therefor.

In testimony whereof I have hereunto subscribed my name and caused the Great Seal of the State to be affixed.

Done at the City of Austin this the first day of August A.D. 1858 and of the Independence of Texas the twenty-third year.

E M Pease

Seal

By the Governor
Bird Holland
Actg Secy of State

The State of Texas

To all and singular the Sheriffs, Constables and other Civil Officers of said State – Greeting

Whereas it has been represented and made known to me by Elias N. Conway, the Governor of the State of Arkansas, that Abram James late of said State of Arkansas, stands charged by Indictments found in the Circuit Court of the Sixth Circuit of said State in and for the County of Sevier in said State, with the Crime of Larceny, and that the said Abram James has fled from justice in said State and has taken refuge in the State of Texas. And whereas, the said Governor of the State of Arkansas, in pursuance of the Constitution and Laws of the United States, has demanded of me that I cause the said Abram James to be arrested and delivered to James B. Millwee, the duly authorized agent appointed by said Governor of the State of Arkansas to receive the said James into custody and convey him to the State of Arkansas. And whereas the said representation and demand are accompanied by a Copy of said Indictments, duly certified as authentic by the said Governor of the said State of Arkansas.

Now therefore I, E. M. Pease Governor of the State of Texas, do by virtue of the authority vested in me by the Constitution and Laws of this State and of the United States, issue this my warrant, commanding all Sheriffs, Constables and other Civil Officers of this State to arrest, and to aid and assist in arresting the said Abram James and to deliver him when arrested to the said James B. Millwee Agent of said State of Arkansas, in order that he may be taken back to the State of Arkansas to be dealt with for said Crime of Larceny according to Law.

In Testimony whereof I have hereunto set my hand and caused the great Seal of the State of Texas to be affixed.

Done at the City of Austin this the seventh day of August, A.D. 1853 and in the Year of the Independence of the United States the Eighteenth, and of Texas the Twentieth.

Seal

E M Pease

By the Governor
Reid Hollands
Acting Secty of State.

Proclamation
By the Governor of the State of Texas

Whereas A. W. Terrington, Judge of the 12th Judicial District of the State of Texas has resigned said Office to take effect on the 6th day of October 1885.

Now therefore I, O. M. Roberts Governor of said State, by virtue of the authority vested in me by the Constitution and laws thereof, do hereby order an Election to be held on the 8th day of October 1885, in the Counties of Comanche, Hidalgo, Jones, Webb and Zavala which compose said District to fill the vacancy occasioned by the resignation of said Terrington.

The Chief Justices of the several Counties (or in case of vacancy in the office of Chief Justice or inability of that officer, then the County Commissioners) of the said Counties respectively are hereby directed to open a poll at the several precincts in their respective Counties on Thursday the 8th day of October 1885 for the election of a Judge of the said Twelfth Judicial District. They will make duplicate returns of said Election, sealed up; one of which they will transmit to the Seat of Government directed to "The Secretary of State" and endorsed "Election Returns of County, for Judge of Twelfth Judicial District" and the other they will deposit in the Office of the Clerk of the County Court.

In testimony whereof, I have hereunto set my hand and caused the Great Seal of the State to be affixed. Done at the City of Austin this the 30th day of August A.D. 1885. and of the Independence of Texas the twenty ninth year.

O. M. Roberts

(Seal)

By the Governor:
Fain Hollands
Actg Secy of State

The State of Texas.

Whereas, Ramejo Mojaras was tried at the Term in the year 1854, of the District Court of Travis County for Stealing Cattle, and was convicted therefor and afterwards in the year 1855. he was sentenced under said convictions, to be confined to hard labor in the State Penitentiary for one year which he is now confined under said sentence, and whereas circumstances have been made known to me, which lead me to doubt whether said Ramejo Mojaras was really guilty of the crime of larceny, although the evidence given on the trial authorized the jury to find the accused guilty.

Now therefore, I, E. M. Pease, Governor of said State, by virtue of the authority vested in me by the Constitution and laws thereof do hereby grant to the said Ramejo Mojaras a pardon for said offence and hereby direct the keeper of the State Penitentiary to discharge him, from all further confinement therefor.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed.

Done at the City of Austin, this the thirty-first day of August A.D. 1855. and of the Independence of Texas the twenty-fifth year.

E M Pease

Seal

By the Governor
Peter Hansborough
Bell Secy of State.

The State of Iowa
A State of the United States of America.

I, the undersigned Governor of the State aforesaid, by virtue of the authority in me vested by the Constitution and laws, hereby certify make known and declare to all men to whom these presents shall come, that Oscar Carter was a citizen of this State and of the United States of America, and that he is entitled to all the privileges and immunities of such citizens by law in all the States and Territories of the United States.

In testimony whereof I have hereunto affixed my signature and caused the Great Seal of the State to be hereunto affixed, at the City of Des Moines, this twenty-first day of September, in the year of our Lord one thousand eight hundred and eighty-five, and of the Independence of the United States the one hundred and ninth.

Ed Rice

By the Governor
Chas Aldrich
Sec'y Dep of State.

Proclamation

By the Governor of the State of Texas.

Whereas, it has been represented to me that Fleming M. Taggard, late of the County of Bexar, (on the waters of the Colorado,) in the State aforesaid, about the 10th day of August 1855. committed a murder upon the body of C. J. Frayler of said County, and that said Fleming M. Taggard is now a fugitive from justice

Now therefore, be it known that I, E. M. Pease, Governor of said State of Texas, by virtue of the authority in me vested by law; do hereby offer a reward of three hundred dollars for the apprehension and delivery of the said Fleming M. Taggard to the Sheriff of Bexar County, in order that he may be dealt with according to law.

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed.

Seal.

Done at the City of Austin, this the 7th day of September A.D. 1855. and of the Independence of Texas the Twentieth year.

E M Pease

By the Governor
Geo. Hornsby
Secy Secy of State.

Description – Fleming M. Taggard is about 35 or 40 years of age – about 5 ft 10 in. high – is of a red or florid complexion about the face – high cheek bones – grayish eyes – bushy head – light black hair – large muscular shouldered – quick and fierce in expression – easily excited, and when excited very profane – has a dissipated raffian look – he has a wife with four children, 3 boys, and a girl, in infancy – It is supposed that he is making for Missouri with his family in an Ox-Wagon

Note – The Southern State Gazette, Rusk Herald, & the Northern Standard are requested to publish the above proclamation three times.

The State of Texas.

Whereas, an act entitled "An Act to grant twenty four sections of land of six hundred and forty acres each to the Galveston and Brazos Navigation Company" was passed by the Legislature of said State and approved the 11th day of February 1854, which said act provides that upon the application of the President of said Company or any duly authorized agent thereof stating that a Canal as contemplated in "An Act to incorporate the Galveston and Brazos Navigation Company" approved February 8th 1854 has actually been completed by said Company from Galveston or West Galveston Bay, to the Brazos River; and upon return made as sufficient for the purposes for which it was intended it shall be the duty of the Comptroller of Public Accounts to request the State Engineer or a Commissioner to be appointed by the Governor to examine said Canal at the expense of said Company, and whereas I have been advised by James H. Shaw Comptroller of Public Accounts, that a Committee of the directors of said Company have reported to him that said Canal has been completed as contemplated by their Charter, and whereas there is no State Engineer.

Now therefore I E. M. Pease Governor of said State having full confidence in the integrity and capacity of Lipton Walker of Galveston County, do by virtue of the authority vested in me by the Constitution and laws of said State, hereby appoint the said Lipton Walker to examine said Canal at the expense of said Company and certify to the Comptroller of Public Accounts whether the same has been completed in a good and substantial manner, and is ready for use as contemplated in said "Act to incorporate the Galveston and Brazos Navigation Company." approved February 8th 1850. Hereby giving and granting to the said Walker full power and authority to do and perform all such acts as are necessary and proper to be done by such a Commissioner. In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed

(Seal)

Done at the City of Austin, this the Seventh day of September A.D. 1855. and of the Independence of Texas the twenty

E M Pease

By his Excellency

H. Bee Secretary of State.

To the State of Texas.

To all and singular the Sheriffs, Constables and other Civil Officers of said State — Greeting:

Whereas it has been represented and made known to me by P. O. Hebert the Governor of the State of Louisiana that Robert C. Webb late of said State of Louisiana stands charged by Indictments, found in the District Court of the Eighth Judicial District of said State in and for the Parish of Morehouse in said State of Louisiana with the crime of Murder, and that the said Robert C. Webb has fled from justice out of said State and taken refuge in the State of Texas.

And whereas the said Governor of the State of Louisiana, in pursuance of the Constitution and laws of the United States, has demanded of me that I cause the said Robert C. Webb to be arrested and delivered to Pope Hall Parnell the duly authorized agent appointed by said Governor of the State of Louisiana to receive the said Robert C. Webb and convey him to the State of Louisiana — and whereas the said representation and demand was accompanied by a copy of said Indictments, duly certified as authentic by the said Governor of the said State of Louisiana.

Now therefore I, C. Stephens, Governor of the State of Texas, do by virtue of the authority vested in me by the Constitution and laws of this State and of the United States, issue this my warrant, commanding all sheriffs, Constables and other civil Officers of this State to arrest, and to secure and keep in custody the said Robert C. Webb, and to deliver him, when accompanied by the said Pope Hall Parnell, agent of said State of Louisiana, in order that he may be taken back to the said State of Louisiana to be dealt with for the crime of Murder according to law.

In testimony whereof, I have hereunto set my hand and caused the Great Seal of the State of Texas to be affixed.

Done at the City of Austin, this the eighth day of October A.D. 1881, and in the year of the Independence of the United States of America and of Texas the Seventh.

C. Stephens

By the Governor:

[illegible]

Election Returns, August 6, 1855.

Official

County	Comr's Genl Land Office.				
	Crosby	Fields	Brown	Case	Tunsickle
Anderson	676	186			36
Angelina	93	16			
Austin	160	436	1	3	
Bastrop	216	458	5		
Bell	111	320			
Bexar	27	29			
Brazos	132	2079	57		
Burnet	16	100	1		
Bureson	142	262	1		
Bigg	11	95			
Bamerson	99	249	1		
Brown	41	128	1		
Caldwell	171	282	1		
Calhoun	107	50	4		
Cameron					
Cass	420	270			
Chambers	717	766			
Collin	536	81			
Colorado	232	92	6		
Comal	32	308			
Cooke	181	2			
Coryell	331	144	3		
Dallas	348	186			
Davis	202	11	3		
DeWitt	212	128			
Ellis	341	105		1	
El Paso	761				
Fannin	187	15			
Fayette	565	22			
Fort Bend	395	311	26		
Grayson	123	134	12		
Greenville	70	331	22		
Guadalupe	123	426	1		
Harrison	44	220			
Hill	81	211			

Counties	Cent. Sec. School Lands				
	Geography	Diam. Cert.	Indiana		
Gonzales	144	334	1		
Gracedon	355	60			
Grimes	1[illegible]1	1104		2.36	
Guadalupe	560	310	4		
Harris	352	446	5		5
Harrison	6[illegible]	[illegible]34			
Hays	103	35	1		
Henderson	264	12			5
Hidalgo					
Hill	117	19			
Hopkins	184	344	[illegible]		19
Houston	3[illegible]	[illegible]			
Howard	360	151			
Jackson	1[illegible]	31			
Jasper	341	[illegible]			
Jefferson					
Johnson	1[illegible]	[illegible]			11
Kaufman	[illegible]	[illegible]			
Kerr	1[illegible]	116			5
Kimble	360	[illegible]			6
King	353	391			
Kinney	[illegible]	461	1		
Knox	[illegible]	349			
Lamar	[illegible]	56			
Lampasas	354	106	3		
Leon	36	123			
Liberty	216	6			
Medina	7	235			
Milam	127	145			30
Montgomery	326	47		1	
Nacogdoches	642	79	40	8	
Navarro	466	31	1	2	
Newton	116	3			
Nueces	274	49			
Orange					
Panola	181	390	6	10	4
Park	130	250		1	
Red River	2[illegible]	2[illegible]	2		4
Refugio	[illegible]	45			
Robertson	320	190			
Rusk	253	85[illegible]			4

Counties	Comm. Tank Lower Opeiec				
	Crosby	Fields	Brown	Case	Vanderlie
Sabine	192	8	15		
Shelby	250	271			
Smith	371	719			
Starr	169	132	5		
Tarrant	613	74			5
Taylor	641	46			10
Travis	495	690	2		
Trinity	170	13			
Tyler	210	57			
Upshur	310	438	2		42
Van Zandt	168		1		
Victoria	104	172			
Walker	70	436			
Washington	366	446	3		
Webb	132	167			
Wharton	70	69			
Williamson	217	270	4	2	
Wood	284	65			12
Zavalla	144	160			
Dist. Columbia	53	14			

Counties	United States Congress 1st District		2d District		Settle Debts	
	Ward	Evans	Steele	Hancock	Fine	Sparrow
Anderson	381	536			61	205
Angelina	13	84				
Austin			302	281	115	270
Bastrop			464	315	216	365
Bell			302	101	72	335
Bexar			6	43	4	47
Brazoria			1711	503	502	302
Brazos	218	37			28	162
Burleson			258	91	212	95
Burnet			202	71	21	222
Calhoun			202	124	14	311
Cass			113	115	114	81
Cherokee			310	203	120	345
Colorado			161	102		
Comanche						
Cass	216	410			23	374
Cherokee	146	685			61	153
Collin	244	542			13	477
Colorado			222	110	50	222
Comal			322	13	145	126
Cooke	126	61			58	53
Corsicana			222	120		
Dallas	341	205			61	203
Denton	112	120				
Dewitt			210	85	61	220
Ellis			147	177		
El Paso			636	116		
Falls			80	123	7	130
Fannin	204	563			178	326
Fayette			304	308	56	56
Fort Bend			219	50	157	54
Freestone			242	120		
Galveston			442	251	327	244
Gillespie			248	37	14	50
Grayson			103	136	131	50
Gregg			399	411	360	317
Grayson	260	442			19	612
Grimes			166	438	255	220
Guadalupe			371	255		

Counties	United States Congress				Public Lands	
	1st District		2d District			
	Ward	Crane	Tell	Hancock	For	Against
Adams			342	274	327	334
Harrison	391	674			576	364
Page			60	83		
Anderson	102	219				
Vanderburgh						
Pike			57	85	34	91
Dubois	295	387			9	592
Floyd	339	197			278	141
Perry	231	272			147	225
Spencer			105	51		
Clark	175	78			57	197
Jefferson						
Switzerland			182	64		
Orange			111	68	109	26
Washington	135	208			39	240
Jennings	128	290			10	630
Scott			284	175	38	224
Lake			161	359	39	269
Porter	131	160				
Laporte			127	236	89	158
St Joseph			180	178	36	285
Elkhart			113	117	115	9
Allen			205	10	58	17
Wabash			240	7	181	10
Huntington			124	181	68	60
Wells			163	214	280	37
Grant	428	294			707	22
Blackford			184	310		
Jay	91	77			9	183
Adams			282	53	74	173
Randolph						
Delaware	404	277			52	305
Clark	195	164			741	141
Red Shield	276	300				
Gibson			90	48	36	38
Sullivan			34	211	15	501
Knox	883	835				
Daviess	118	155				
Martin	200	122			21	51

County	Public Stock Company Debentures				Sinking Fund	
	Hired	Owned	Hired	Owned	For	Against
Clarke			31	4	50	
Shelby	314	228			101	336
Smith	61	316			145	94
Stark			316	[illegible]	14	11
Stewart			11	166	2	60
Sullivan	126	430				
Sumner			310	491	524	356
Tipton	36	120				
Trigg	207	94			74	210
Tyler	316	540			120	207
Van Buren	90	143				
Washington			170	114	17	16
Wayne			230	316	453	24
Webster			103	461	36	1080
Wilkes			210		200	
Wilkinson			106	31	93	26
Williamson			200	200		
Wood	171	200				

County	Sandusky Railroad Bonds				Sinking Fund	
	Hired	Mortgaged	Sold	Made		Against
Brown	129	83	41		Carroll	
Harris	439	122	174	11	Hickory	
Jackson					Henry	310
Liberty	98	161	50	12	Hood	204
Montgomery	119	94	166	6		
Orange						
Polk	141	116	82	40		
Sycamore	81	24	36	249		
Tracker	150	125	216	8		
	457	725	771	330		514

Second Judicial District	Dist. Judge				Fourteenth Jud. Dist.	Dist. Atty	
Counties	Russel	McFarland	Truitt	Price	Counties	Enock	McCampbell
Bastrop	290	179	183	5	Goliad	98	
Burnet	37	96	56	12	Karnes	5	
Caldwell	140	189	150	54	Nueces	223	62
Fayette	115	387	5	320	Refugio	97	
Hays	55	78	1	6	San Patricio	65	
Travis	459	235	194	24			
	1146	1066	559	426		488	62

We hereby Certify that on this, the eighth day of October 1855 We [illegible] Holland Acting Secretary of State and E. M. Pease Governor Present [illegible] [illegible] the Attorney General being unable to be [illegible] on account of his not being present proceeded to open and count the returns of votes made to the Secretary of State according to law, as given at the Election held in the Several Counties of the State on the first day of August 1855 for a Governor, [illegible] of the General Land Office, Representatives to Congress from the first and second Congressional District, each in the District Judge for the Second Judicial District and District Attorney for the Seventh, Twelfth & Fourteenth Judicial District each — and For and against the acceptance of the Public Debt act as passed by the United States Congress, and the foregoing [illegible] pages contain a correct statement of the votes as returned.

[illegible] Holland
Acty Secy of State

E M Pease

State of Iowa
Executive Department

I, Ed. H. Pease Governor of said State, do hereby certify that from an examination of the returns made according to law to the Secretary of State, of the votes given for a Judge of the Eighth Judicial District of the Second Judicial District of said State at an election held in the said District on the 8th day of August 1855 it is the opinion of the Canvassers comprising a majority of said District that Francis Pickens received the highest number of votes given and I do hereby declare that he is duly elected to said office.

In testimony whereof I have hereunto set my hand and caused the Great Seal of the State to be affixed at the City of Iowa City this the eighteenth day of August A.D. 1855 and the Independence of the United States the eighty-ninth year.

Ed Pease

By the Governor
Chas. Aldrich
Secy. of State

The State of Texas.

Executive Department

I, E. M. Pease Governor of said State, do hereby certify that upon an examination of the returns made according to law to the Secretary of State of the votes given for District Attorney of the Seventh Judicial District of said State, at an election held on the sixth day of August 1855. in several counties composing said District, it appears that James G. McDonald received the highest number of votes given for said Office, and I hereby declare that said James G. McDonald has been duly elected to said Office.

In testimony whereof I have hereunto signed my name and caused the Great Seal of the State to be affixed at the City of Austin on the eighth day of October A.D. 1855. and of the Independence of Texas, the Twentieth year

Seal.

E M Pease

By the Governor
Jno. Holland
Secy of State.

The State of Texas

Whereas heretofore, to wit on the 1st day of July 1858. a Respite was granted by the Governor of said State to Frederike Fink who was sentenced by the District Court of Harris County in said State to be executed for the crime of murder in the first degree on the 2nd day of July 1858. by which respite the execution of said sentence was suspended until Friday the 13th day of August 1858, [illegible] said Fink [illegible] for the purpose of [illegible] Whereas [illegible] said Respite [illegible] said Fink [illegible] the said [illegible]

And whereas [illegible] the said respite [illegible] said Fink [illegible] of death [illegible] authority [illegible] I have thought proper to grant a further respite under the [illegible] of the State [illegible] hearing of her case, commute her punishment to imprisonment for life in [illegible] Texas.

Now therefore I, H. R. Runnels Governor of said State, by virtue of the authority vested in me by the Constitution and laws thereof do hereby grant to said Fink a further respite from the execution of said sentence of death until Friday the 7th day of December 1858. and the Sheriff of Harris County is hereby authorized and required to suspend the execution of the sentence of said District Court of Harris County upon the said Fink on the Friday the [illegible] day of December 1858. [illegible]

Seal Secretary.

In testimony whereof, I have hereunto set my hand and caused the Great Seal of the State to be affixed. at the City of Austin, this the Seventh day of October 1885. and of the Independence of Texas the Ninety-eth year.

Seal.

E M Pease

By the Governor
Reid Hollonde
Actg Secy of State.

The State of Texas

To John T. Price Sheriff of Travis County in said State — Greeting

Whereas it has been represented and made known to me by P. H. Hibert Governor of the State of Louisiana that Robert E. Webb stands charged by Indictment found in the District Court of the Fifth Judicial District of said State of Louisiana, in and for the Parish of Morehead in said State of Louisiana, with the crime of Murder, and that the said Robert E. Webb has fled from justice in said State, and has taken refuge in the State of Texas — and whereas the said Governor of the State of Louisiana in pursuance of the Constitution and laws of the United States has demanded of me that I cause the said Robert E. Webb to be apprehended and delivered to State Police Officer the agent authorized by and appointed by said Governor of the State of Louisiana to receive said Webb into custody and convey him to the State aforesaid, and whereas the said representation and demand is accompanied by a copy of said Indictment duly certified in authentic form by the said Governor of the State of Louisiana. Now therefore on the 24th day of October A.D. 1885. I issue a warrant for the arrest and delivery of said Webb to the said Agent which warrant was executed by J. T. Ogle Sheriff of said County in said State, on the

10th day of October A.D. 1885. by the arrest and delivering of said Fabb to said Parnell, and whereas the said Parnell has this 15th day of October A.D. 1885. appeared before me and represented such as the Agent of said State of Louisiana to claim said prisoner to said State.

Now therefore, I, E. A. Ellis Governor of said State of Texas by virtue of the authority vested in me by the Constitution and laws of said State and of the United States, do hereby surrender and remand the said Warrant and said prisoner to the sheriff of said County of Lafayette in said State of Louisiana, and do hereby issue this warrant commanding you the said Sheriff of said County of Lafayette in said State of Louisiana to receive the said Fabb and safely keep the said Fabb in the Jail of said County until he shall be discharged by the Agent of said State of Louisiana duly appointed to receive said prisoner and convey him to said State, or until he shall be discharged by due course of law.

In Testimony whereof I have hereunto signed my name, and caused the Great Seal of the State to be affixed.

Given at the City of Austin this the fifteenth day of October A.D. 1885. and in the year of the Independence of the United States the Eighteenth, and of Texas the Twenty-Fifth.

Seal

E A Ellis

By the Governor
Fred Hollmann
Secy of State.

Proclamation
By the Governor of the State of Texas.

I recommend that Thursday the 29th day of November next be observed by the People of this State, as a day of Thanksgiving and Praise and invite the Clergy of the various Denominations in this State, to meet their respective Congregations on that day, at their usual places of Public Worship, and unite with them in Thanksgiving and Praise to Almighty God for the numerous blessings we have hitherto enjoyed and in Solicitation for a Continuance of his Divine favor and protection.

In testimony thereof, I have hereunto signed my name, and caused the Seal of the State to be affixed, at Austin

Issued this the 17th day of October in the year of our Lord one thousand eight hundred and sixty five, and of the Independence of the United States the Eighteenth, and of Texas the Twenty-ninth year.

E M Pease

By his Excellency
Edward Clark
Secretary of State.

Austin State Gazette requested to publish one time.

The State of Texas

Executive Department

I, E. M. Pease Governor of the State of Texas, do hereby certify that from an examination of the returns made according to law to the Secretary of State of the votes given for a Representative in the Congress of the United States from the Second Congressional District of said State, at an election held on the second day of August A.D. 1855 in the several Counties composing said Congressional District, it appears that P. Hansborough Bell received the highest number of votes given for said office of representative, and I hereby declare that said P. Hansborough Bell has been duly elected to said office.

In testimony whereof I have hereunto signed my name and caused the Great Seal of the State to be affixed.

Done at the City of Austin, this the Fourteenth day of October A.D. 1855 and of the Independence of Texas the Twenty-Ninth year

E M Pease

By the Governor

Edward Clark

Secretary of State.

The State of Texas

To all and singular the Sheriffs, Constables, and other Civil Officers of said State. — Greeting

Whereas it has been represented to and made known to me by Elias A. Conway the Governor of the State of Arkansas that Peter L. Clinton late of said State of Arkansas, stands charged by Indictments found in the District Court of the Second Judicial District of said State, in and for the County of Hot Spring in said State of Arkansas with the crime of Murder, and that the said Peter L. Clinton has fled from justice in said State, and taken refuge in the State of Texas - and whereas the said Governor of the State of Arkansas in pursuance of the Constitution and laws of the United States has demanded of me, that I cause the said Peter L. Clinton to be arrested and delivered to Claiborne C. Pierce the duly authorized agent appointed by said Governor of the State of Arkansas to receive the said Peter L. Clinton into custody and convey him to the State of Arkansas. — and whereas the said representation and demand are accompanied by a copy of said Indictments, duly certified as authentic by the said Governor of the State of Arkansas.

Now therefore I, E. M. Pease, Governor of the State of Texas do by virtue of the authority vested in me by the Constitution and laws of this State, and of the United States, issue this my warrant, commanding all Sheriffs, Constables and other civil officers of this State to arrest and to aid and assist in arresting the said Peter L. Clinton, and to deliver him when arrested to the said Claiborne C. Pierce agent of said State of Arkansas, in order that he may be taken back to the said State of Arkansas to be dealt with for the Crime of Murder according to law.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed.

Done at the City of Austin this the Twenty ninth day of October A.D. 1885 and in the year of the Independence of the United States the Eighteenth and of Texas the Twentieth.

(Seal)

E M Pease

By the Governor

Edward Clark

Secretary of State.

Executive Office
Austin City, January 28 1858

Sir:

I enclose you a communication from the Hon. Wm E. Jones, which is taken from the State Times a news-paper published at this place giving an account of the murder of a worthy citizen in the upper part of Comal County on the Guadalupe River, by Indians; such acts of depredation committed by them in Texas Territory, Mr Jones is an old citizen of the State and as highly respected as any man we have among us. His statement is considered by his fellow citizens of Comal to be perfectly reliable.

The settlers are now moving in a section of the State where no United States troops are stationed, and where depredations have been frequently committed by the Indians during the last eight or ten months, who have no doubt murdered several settlers, I am informed there is such a feeling among the neighboring citizens that if the Indians shall again visit them, the citizens will not be responsible for the consequences that may follow. They will, such an occurrence, be considered a general war with all the Indians, and I fear such a war will be the result unless a force can be placed near enough to the market post above, to satisfy the Indians that such a force is sent to the security of the frontier from again from offending. I therefore request that you will if possible send a company of mounted men into that neighborhood for the protection to remain there as long as the public service will permit.

Respectfully
your obt servt
Ed Rusk

To Hon. Geo. W. Jones
Sec. of War
Comd Dept of Texas

Executive Office
Austin Texas, July 5. 1855.

James H. Callahan Esq.re

Sir:

From reliable representations made to me by citizens residing on the Guadalupe river and its tributaries in Comal & Kerr Counties, and in the upper Blanco, I am well satisfied that a mounted force is necessary to protect those settlements from the thefts and murders to which they are constantly subjected by marauding bands of Indians, and since the United States Government has failed to notice those depredations or to furnish any force for the protection of these settlements, I have thought proper to authorize one, and do hereby authorize you to raise a Company of Mounted men to serve three months unless sooner discharged. The Company must not exceed in number that of a Mounted Company in the United States Service, which is composed of one Captain, one first Lieut, one second Lieut, four Sergeants, four Corporals, one farrier, two Buglers and seventy four privates, should you not succeed in raising a full Company of privates, officers can be elected only in proportion to the number of men.

There are no means at the disposition of the Executive to furnish this Company, ammunition, clothing, subsistence or forage, and this authority is given with the understanding that this Company can be made up of resolute men who are able and willing to supply themselves with all these articles, and rely upon the justice of our Legislature to reimburse them at the proper time for their services. The usual allowance is allowed in the United States service, viz. [illegible]

Should you succeed in raising such a Company or a part of a Company you will forthwith return to this office a Complete muster roll thereof, and report circumstantially to such point in the vicinity of the above named settlements, as might enable you to give most protection against the Indians. It is expected that you will be attended with expense in carrying on this service, which it may be necessary to pay immediately, and I am confident you will have no difficulty in obtaining the necessary supplies in the neighborhood,

in which case you are authorized to call upon them and charge them wherever they may be found.

I rely with confidence upon your good judgment & prudence to avoid altercation and difficulties with our peaceably disposed & quiet citizens, knowing that on a general Government has with all the civil & military on our frontier, which would be very detrimental for a season, to our upward settlements.

I suppose you will find it very difficult to prevent your battalion from committing some outrages upon the property of citizens.

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

Ell Rose

Office of Indian Affairs
Washington, April 25. 1838.

Sir

[illegible] Chief Chiefs and other Citizens of Sugar Creek.

Sir

[illegible] received and attentively considered the affectionate signal by your tribe or large number of the citizens of your Creek, asking you to call out another company of Volunteers for the protection of Fever and Hickory Creeks against the depredations of the Seminoes.

I was fully aware of the time & of the details you gave in regard to the depredations of the Seminoes to which your citizens have been at every moment exposed for the past year, and I have sent

frequent representations on the subject, to the commanding General of this Department, and to the Secretary of War. Since I authorized Captain Callahan to enlist a company of Volunteers for the protection of the settlements on the Guadalupe and in Gillespie, I have received a letter from Capt Smith, dated the 12 inst in which he says he will send a party of Texan Rangers to the neighborhood where the recent depredations were committed as soon as the Commands of Major Simonton return from the party he is now engaged on. In the mean time I will direct Captain Callahan to station a part of his company, as soon as it is raised, at such points as will enable them to give protection to the settlements of Kerr and Medina Counties, should they not prove sufficient to give security to the settlers, I will not hesitate to carry out other arrangements.

Very respectfully
Your obt Servt
E M Pease

Executive Office
Austin Texas, July 25th 1858.

James H. Callahan Esqr
Dear Sir

Since I issued authority to you to raise a company of volunteers for the protection of the Citizens residing on the Guadalupe River and the Frontiers of Comal and Kerr Counties, I have received from the Citizens of Kerr County a requisition asking for a mounted volunteer force for the protection of the frontier settlements in Kerr and Medina Counties which have been lately harassed by the depredations of the Indians.

I have now received a letter from Major Simonton, in which he says that he will soon send a party of Texan Rangers to the neighborhood where the recent depredations have been committed.

This information has induced me to think that a smaller force will answer the present emergency

besides of your Company, it will be better for the [illegible] to divide your Company and send a portion of it to such a point as will afford protection to the [illegible] [illegible] Counties West and South of the point where it was first intended your entire Company should be stationed.

I therefore desire that you [illegible] a portion of your Company [illegible] stationed [illegible] [illegible] where the recent depredations were committed and [illegible] such point as will afford protection to the settlers [illegible] and [illegible] Counties [illegible] recently [illegible] of the Indians.

[illegible] you [illegible] your Company, I [illegible] desire it [illegible] be [illegible] [illegible] Company [illegible] [illegible] and [illegible] I presume will [illegible] obtaining the necessary supplies. Please [illegible] [illegible] of your movements [illegible] [illegible].

Very respectfully
E M Pease

[illegible]
September [illegible] 1855.

Sir

I came to this place with the hope of meeting and [illegible] a consultation with you in regard to the depredations recently committed in this County by the Indians, supposing that you were at this time, but I find that you have returned to [illegible] and are not expected to be here before the first of next month.

Major [illegible] has shown me a letter that he has written to you, giving an account of the murder of the Son of the Rev. Mr. [illegible] on the [illegible] some 15 or 20 miles below this place; the facts as stated by him are confirmed by several Citizens well known to me who reside in the neighborhood where the boy was killed, [illegible]

since other Citizens who were out hunting cattle, but they made their escape. They also stole horses from several other farms on the Cibolo, at different points for 20 or 25 miles above Wm McGhee's, several small parties have been in pursuit of these Indians, some of which are still out and I must wait to come up with them.

I know not precisely what course to recommend to stop these depredations, but unless something is done speedily the settlements on the streams above and West of this place will have to break up. Horses have been stolen within this last month, from several Ranches within 15 or 20 miles of this Town, and there is no doubt, that in every instance, it is done by Indians. It does seem to me, that six or two Companies of Mounted men might be stationed in Bexar, Gillespie, Travis or Williamson at different places near the settlement, from the head of the Colorado down to the Lower Bend. Here, and perhaps below Here on the Nueces, would be interest these small parties of Indians who come in these outrages. The Company under the command of Captain Cutchaw, which I called out a few weeks since, and stationed near the head of the Guadalupe and San Saba, have put a stop to the depredations which the Indians were committing in those neighborhoods previous to their arrival in the frontier. My situation in regard to these matters is a very embarrassing one, our Citizens are entitled to protection from the General Government, but not receiving it, they appeal to the State authorities. There is great danger, if I can rely on what I hear, that if anything is done by the General Government to remedy the Indians, it is something to interfere with the efforts now making by the General Government to settle the Texan Indians on the upper Trozos.

Although if I could have a consultation with you on this subject, some plan might be devised to give protection to the frontier settlements of this and the adjoining counties, and if agreeable to you, I will meet you at Austin, wherever that may be, if you will inform me what time you expect to return.

I have gone to the trouble to return here myself in order to give you a correct idea, that you could decide on something or two of importance from consulting, to wait from the Seat of Government to be ready of the other this will in consequence be the reason why I have not sent the Texan Indians, now having at present whom we have to remove by order, and instead I am to

performing their service, in the mean time I will also preach occasionally, with the view of bearing praise upon our worthy Chief.

Very respectfully
your obt. Servt
Ell Rose

To
Anthony Bell
Governor of Texas
Comd Dept. of Texas.

San Antonio Sept 26th 1858.

Hon C. Edwards, Sec of State
Sir.

Your letter of the 11th inst. giving an account of the depredations recently committed in Uvalde by the Indians, and containing the proceedings of a Public meeting of the Citizens of that place was received at Leakey on the 3rd inst. Supposing Capt. Smith was still at that place, I came immediately here with the view of meeting him and introducing him to adopt measures to prevent a recurrence of similar proceedings; not being able to find him on my arrival, I must beg your pardon if my express, detailing the recent Murders and Thefts committed by the Indians, appeared rather too to be disrespectful. Such portion of our Citizens as will be capable of protection against further attacks of the Indians.

I expect to get a supply for about five weeks, and intend to prevent a recurrence that I hope a force will be soon formed. I shall consider it due my duty to call out a Company of Volunteers to protect the lives and property of our frontier Citizens, until the Legislature shall be assembled, and take such other steps as may be deemed necessary to settle the Indian question.

Very respectfully
your obt. Servt
Ell Rose

Austin, September 28th 1858.

Messrs T. Frantz & Bro, A.P. Hrinow
& Geo. W. Crane.

Gent.

I have the honor to acknowledge the receipt of your letter of the 17th inst. inclosing the proceedings of a Public meeting, and a petition of Citizens of Gabino County, giving a details of depredations recently committed in your vicinity by Indians and asking me to authorize the raising of a Company of Rangers for your protection.

Previous to the receipt of these papers I had been informed of most of the facts detailed in your petition, and had requested Capt. Smith to place a sufficient mounted force in the line of the Texans, to range from the Neighborhood of Fort Croll up to the head of the Llano and I have just received information from him that he has ordered 3 Companies of mounted Riflemen to perform that service. These troops I trust will prove sufficient to give security against further incursions of Indians into your County; if they do not, I will endeavor to have additional troops ordered to that portion of our frontier, and if I cannot succeed in this, I will then consider it to be my duty to call out volunteers to act under the authority of this State.

Very respectfully
your obt. Servt
Ed. Pease

San Antonio Octr 4th 1860.

Lt Col. Robertson

Dear Sir.

Since my arrival at this place, I have learned from Dr. [illegible] a piece of [illegible] your [illegible] the [illegible] of your [illegible].

[illegible]

[illegible] you [illegible] Dr. [illegible]

[illegible]

[illegible]

R. E. Lee

[illegible] 11th 1860

Capt. [illegible]

Dear Sir.

[illegible] severely afflicted by the return [illegible] to your Camp [illegible].

[illegible] Indians [illegible] upon our citizens [illegible] Crossed the Rio Grande you may [illegible] there for the purpose of [illegible] the Property stolen by them [illegible] the right [illegible] of Mexican Citizens; [illegible] and consecutively to this side of the Rio Grande [illegible] already done so.

[illegible]

Mala before you received this, you will be informed.

Given encouragement with such depth of such a large tract of Indians reflects great credit upon yourself and the brave men under your command, and I trust that we will have the satisfaction by your most powerful exertions in behalf of the Indian nation will give hence may please cause of Great Spiritual Revival & Law.

Yours very respectfully
Ell Pease

Executive Office
Tallahassee, Fla. Apl 13 1855

Sir.

I have the honor to acknowledge the receipt this day of your letter of the 11th inst with the papers enclosed therein.

Referred to the receipt, I have written to Capt Gella and to the 11th inst. expressing of his entire satisfaction of your property of the Chiefs of Micco, and that every thing, if I am not already done, to retain possession of the Chiefs, I send you a copy of that letter herewith.

You will perceive that I made no objection to the request of the Indians to visit Sis Tustenuggee, and that I have referred to the recognition of the Secretary of War upon the transaction of this Government with the Indians.

Sir, I am most gratified in the prudency the Indians among the Chiefs in their return from the State, where they have been treated, respected upon the delicacy of presuming that such proceedings will be pursued, and if this has been the case I believe the Chiefs of this State will be the Indians and I assure you will report it more than merely has been highly lies among the United States Government, whose regards to humanity please see settlement represents the rights of a number of Chiefs and through the first year, and, under the [illegible] in the [illegible] Indian Department, which is the [illegible] of this State, [illegible]

Very respectfully
Your obt Servt
Ell Pease

Gen
Thos Jesup
Quartermaster General
Washington City

Executive Office
Austin, Texas Oct 15th 1883

To His Excellency
F. O. Albert Governor of Louisiana
Dear Sir:

On the eight of this month, a requisition from you, was forwarded to me, for the arrest and delivery of Todd C. Webb, charged with committing the crime of murder in the District of Natchitoches in the State of Louisiana, & I have the honor to inform the Agent of said State to correspond with said State forthwith.

I immediately issued a warrant for the arrest and delivery of said Webb to said Sheriff, under which said Webb was arrested & brought to this place on the 13th inst. I have the honor to inform you that upon the legal opinion of your State, I respectfully refuse the Requisition, unless the same be sued for the part of State of Louisiana, per Deputy Sheriff in his own name & at his own ~~office~~ Seal, & further regret to be necessitated to do so.

Very respectfully
Your obt. Servt.
O. M. Rose

Executive Office
Austin Texas, Oct. 17 1883.

Sir:

I have just received an affidavit & letter from Col Harden an officer in Col Johnson's Regiment dated Jefferson Barracks Sept. 29th 1883, in which he says "Instructions have been received that the 2nd Regiment Cavalry will go to Texas, but up to this date not a wagon, to my knowledge, has been provided for our transportation. At the rate it has seemed to have begun, I would not be surprised if we were ordered to join Genl Pierce, considered entirely doubtful if we get in Texas this fall or winter. Col Johnson & I are both absent and I am in command of the Regiment."

It seems therefore that there is much uncertainty whether the Regiment of Col Johnson will be here this year, and as the present exposed situation of our frontier lines is, to be attacked at any moments by the Indians and Banditti from the other side of the Rio Grande, prudence seems to require that an additional Mounted force shall at once be called into the field, such is the opinion of the Citizens residing on our Western frontier, and I think that opinion well founded

I make these suggestions to you because I think such a force is now needed in the field, and because I believe if you were to call on me for such a force from the Volunteers of this State, it would supersede the unauthorized movement of armed men that seems to be now making in the Western part of this State, and bring the whole matter growing out of the late expedition of Capt. Callahan entirely under your control.

Will you favor me with your views on this subject as early as convenient.

Very respectfully
Your obt Servt
E M Pease

To
Brevet Brig Genl
Persifer F. Smith
Comdg Dept of Texas.

Austin Texas, Octr 18th 1855.

Col Johnston, Pedro
Dear Sir:

Capt Callahan's company of State rangers, to you, as they were directed, since his arrival, you are authorized to assume their control & service. I think you an interest in this service for your to do so, as a copy of the inclosed from Adjt Genl Office, and I shall not fail to report to the Legislature upon the occasion.

Inclosed Capt Callahan to report to you a statement of his expenditures which he represents he has incurred in subsisting his

Ellrose

of Texas, for whose debts the revenues of that Republic were pledged, to be apportioned pro rata among them.

A copy of this act is herewith submitted for your consideration. It is not to take effect, as you will perceive, until it shall be assented to by you; nor until you shall have received and abandoning all claims and demands against the United States growing out of Indian depredations or otherwise.

The question of the acceptance or rejection of this act, was submitted to the electors of this State at the late election, when but 28,237 out of about 45,000 who voted at that election, felt interested enough in the subject to vote upon it; of these 17,693 were for its acceptance and 10,544 were for its rejection; under the circumstances, I do not consider the action of this State any test of the opinion of the people of the State upon the merits of the act, and do not think it should exercise any influence upon your action in regard to it.

The Act provides for the payment of all the debts of the late Republic of Texas which has not heretofore been paid at the proper Treasury, and will pay to each creditor about twenty-eight cents on the dollar of the ascertained value of his claim on the first day of July, 1850, as ascertained by commissioners.

In deciding upon the acceptance or rejection of this act, it should be borne in mind, that any final settlement of the debt embraced in its provisions must be made by the United States, the Creditors and Texas.

Texas does not question the terms on which it is to be settled, for she has already, by her previous legislation, assented that the United States shall retain the five millions of dollars paid to her by the act of Congress of the 9th of September, 1850, and that the creditors, for whose debts, the debts of the late Republic of Texas are pledged, shall receive the Treasury of the United States in payment of all claim against the Government of Texas, in the amount of these debts, which shall be ascertained to the Secretary of the Treasury by the President of the United States.

It is unnecessary to say, in this connection, that the Secretary of the Treasury is officer of the Government, responsible to the President, and that the decision of the Secretary of the Treasury must be based on the evidence produced before the late Republic of Texas, which shall satisfy the Secretary of the Treasury of the amount of the debt, which should be paid out of the Treasury of the United States, before any portion of the money can be claimed

Stock are as issued to Texas.

Texas has, [illegible] against the [illegible] on the 28th of January, 1852, she passed a law providing that each creditor of the State should be paid the amount of his claim as audited [illegible] by the law, if he should file a release of all claims against the United States and Texas, provided that [illegible] [illegible] Texas [illegible] [illegible] pro rata [illegible] equal to the amount [illegible] [illegible] forwarded by Texas to the United States Treasury.

[illegible] [illegible] [illegible] of the creditors [illegible] [illegible] and Texas [illegible] [illegible] [illegible] that the debts [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] of December 1851 [illegible] the [illegible] of Texas on the 28th of January 1852.

[illegible] [illegible] creditors as well as [illegible] [illegible] [illegible] debts [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

The act [illegible] [illegible] [illegible] [illegible] [illegible] to the creditors, [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] of its provisions that every creditor [illegible] [illegible] [illegible] [illegible] [illegible]

The amount of [illegible] [illegible] [illegible] [illegible] Texas, [illegible] [illegible] amounting [illegible] [illegible] 038.78, of [illegible] [illegible] payable with interest from the 1st of July, 1850, to the time of payment, [illegible] [illegible] [illegible] [illegible] of the United States and the creditors [illegible] [illegible] to the payment according to [illegible] [illegible], we cannot be justified in refusing to pay the same rate [illegible] [illegible] that the stock is [illegible], [illegible] [illegible] out of the five millions the sum of $ 710.153.95.

If we accede to this Act, we shall receive only of the five millions, the sum of $177,165 73, after paying the creditors according to its provisions, and also paying to those creditors whose pro rata will be less than [illegible] [illegible]; the difference between what we admit to be due them and their pro rata, so that [illegible] [illegible] [illegible] [illegible] but $ 2,0?6,288 [illegible], by accepting this Act, instead of paying the debt in accordance with [illegible] [illegible]

laws. This is a small consideration with the great importance of having this troublesome business settled upon terms satisfactory to our creditors.

It is long since, in addition to this case, we [illegible] and attending all claims and demands against the United States growing out of Indian depredations, or otherwise.

These claims of ours arise, arise from a supposed obligation on the part of the United States, to pay us the expenses incurred by the Republic of Texas in defending herself against Indian tribes belonging to the United States.

These expenses were paid by the issue of promissory notes, which now constitute a large part of this very debt.

It is not probable that we shall ever realize any thing from these claims, except in the manner now proposed; they are of long standing, and have never been seriously urged against the United States until the last Legislature passed a joint resolution instructing our Senators and requesting our Representatives to urge their settlement upon the Congress of the United States, and authorizing them to accept of any proposition that might be made for the full and final adjustment thereof, subject to ratification by the Legislature.

Those who were instrumental in getting this joint resolution passed, had in view a settlement of these claims, in connection with the payment of our public debt by the United States in the manner now proposed.

After a deliberate review of this subject, in all its bearings, I am satisfied that we ought to accept of this offer. It is the only way our debt can be [illegible], and it seems to be the only mode by which it can be discharged in any reasonable time. I, therefore, recommend the passage of such a law as may be required, concurrently with another law appropriating out of the amount now [illegible] the Government, such amount as will be sufficient to pay those creditors whose pro rata will be [illegible] than we [illegible], the difference between the pro rata and what we admit to be due them, which would amount to $118,901.43.

If these debts were settled, Texas would be in a better financial condition than any State in the Union.

We had in our Treasury $1,072,742 68/100 on the first day of the present month, besides [illegible] Two millions of dollars. In addition to this, we will receive under an Act of Congress before referred to, [illegible] of [illegible] 65 [illegible], after retaining

up the deficiency between what is necessary to [illegible] to be due to a portion of our citizens and the amount they will receive under that act. We have [illegible] particularly shown the value of which was reached [illegible] considered.

The value of our [illegible] of [illegible] currency [illegible] interesting [illegible]. The [illegible] from 1853 to 1854 was about twenty-one per cent, and from 1854 to 1855 about seventeen per cent.

Our [illegible] of [illegible] dollars of the [illegible] [illegible] the [illegible] for the [illegible]

[illegible] $[illegible],152 [illegible]

[illegible] [illegible] 1855 [illegible]

[illegible] 1854 [illegible] [illegible] required.

[illegible] the expenses [illegible] their [illegible] [illegible] the State [illegible] dollars [illegible] the ordinary expenses [illegible] the years 1854 and 1855, [illegible]

For the years 1856 and 1857 [illegible] considerably [illegible] increasing [illegible] the legislature, [illegible] operations.

[illegible], however, [illegible] reduced to [illegible] fifteen [illegible] hundred dollars, and that it will still produce an amount [illegible] sufficient to [illegible] all the appropriations that will be required for the years 1856 and 1857.

For the last four years [illegible] State Taxes have been relinquished to the Counties, and the expenses of the Government have been paid from [illegible] received from the United States Government in the settlement of our Northwest [illegible].

The amount of these funds now remaining in the Treasury is $61,378.00, and if our Counties continue to rely upon them to meet the expenses of the Government [illegible] with the interest accruing on them [illegible]

these officers for about eight years.

But these bounties have not been received as the commissioners for our relief intended at the eight shillings and, consequently, even a portion of the revenue appropriated by our resolution, might not be expended for temporary purposes; they might rather be invested and used for objects of public utility, permanently in their organization.

The minority report, adopted in relinquishing the State tax to the towns, has recommended that the divide between State and Towns. These members which have made a positive error of this tax are now supplied with their bounties, made their revenue even to larger the amount.

I am opposed to any further relinquishment of the State tax to the towns, and I think it that it should be relied to do so on the ordinary expenses of the Government; their causes are probably to be ascertained in the expense, for which I am sorry for the support of a government which [illegible] from the people, it must be procured. Yet they are more entitled to protection and encouragement, and to bear their proportion to more equal accountability.

If we must [illegible] these assessments, we must otherwise [illegible] to be [illegible] the methods adopted for [illegible] for the years 1802 and 1803, and [illegible] for the [illegible] for the year 1806, in the [illegible] for that year, [illegible] the [illegible] [illegible].

Other [illegible] is recorded to the annual report of the State Treasurer and Commissioners of Common Schools, for the years 1802 and 1803, which is recommended herewith.

It will be seen from these reports, that very few of the County Officers have [illegible] the School Fund, have performed their [illegible] duties. This neglect of these officers has [illegible] impossible for the Treasurer to keep an [illegible] the laws of the State and [illegible] reports. He has, however, [illegible] to [illegible] the [illegible] of the laws, by [illegible] [illegible] [illegible] [illegible] [illegible] [illegible].

The number of children in the State between the ages of six and eighteen years as ascertained by the reports of the Assessors and Collectors who have made returns for the year 1803, and by the estimate of the Treasurer for those counties that have failed to make returns, is 60,180; and [illegible] this division of the fund gives

for each scholar one dollar and fifty cents.

The School Law I approved to be defective in its details and entirely unsuited to our condition. I was not satisfied with its provisions, but gave it my approval because it created a school fund, and attempted to do something towards the establishment of Schools.

These reports show that but few of the counties have organized and established schools as required by this law; and most of them [illegible] the population is sparsely scattered over a great extent of territory, [illegible] number of children [illegible] Schools [illegible] [illegible] from a large portion of [illegible] no doubt [illegible] the [illegible] of the law [illegible] become more dense.

[illegible] of the [illegible] of Schools in each County [illegible] the [illegible] Counties [illegible] let the [illegible] Schools [illegible] may be kept as the State public schools, and when the fund distributed to each county, to be disbursed under the orders of the County Court, to such teachers as the parents and guardians of the children may choose to employ for their education.

This plan, I am satisfied, is better adapted to our present situation than any other which can be devised, and I believe it will be much more acceptable to the people than that provided for in the present law.

As our situation changes, some other system more suited to our wants will no doubt suggest itself and can then be adopted.

A reference to these reports will show that there is now in our Treasury about one hundred and twenty-four thousand dollars, which has accumulated from the one-tenth of the annual revenue set apart by the Constitution for the support of Schools, fifty-three thousand of which has already been invested in United States five per cent. bonds.

I recommend that the residue be also invested in like manner, that the whole be added to the two million School fund, and that hereafter this fund, together with the income of funds, be annually distributed as directed by the School Law.

By this means, the annual amounts applied by the State for the support of schools, will be about or hundred and twenty thousand dollars, which will be gradually increasing as our revenue from population increases.

The School fund may be greatly increased by a judicious use of the four leagues of lands that have heretofore been granted in each County of the State for public Schools.

It is questionable whether these lands will ever be completely in such goods, if they are allowed to remain in the possession of the Counties, for it from information furnished by the Commissioner of the General Land Office, that but 954,181 acres, of the 1,753,488, to which the Twenty-Five Counties of the State are entitled, have yet been selected. Forty one Counties only have selected their full amount, twenty have selected 327,989 acres of the 354,000, to which they are entitled, and thirty-eight have made no selections, so that 799,307 acres yet remain to be selected. Fifteen of the Counties which have made no selections were organized in 1846 or previous to that time, six were organized in 1848 and thirteen were organized at different periods between the years 1850 and 1857.

It is reasonable to expect that those who have neglected, for so long a period, to avail themselves of these bounties of land, will not hereafter manage them with that care and attention that will be required to realize their full value.

It is unfortunate that these lands were not, at first, set apart to be managed by the State Treasurer, as a general fund for the common benefit of all the Counties, for they would have been selected long since, in portions of the State where their value would have greatly increased by the Public improvements made.

They could without doubt, be much better managed by the State than by the Counties, for they could be placed under the control of a single officer, whose special duty it would be to superintend them, attend to their Sales and Sale, whenever it might be thought advisable to bring into market, and to invest their proceeds, instead of being under the management of the officers of Ninety-nine different Counties, who are too remote from the lands

[illegible] occupied with official duties to your minds other than those.

It will be found that [illegible] State gift [illegible] which have returned [illegible] years [illegible] by the General Government for schools, and [illegible] the general fund for the whole State, [illegible] more benefit from it than other [illegible] people. [illegible] control of the different boundaries [illegible] separate.

I suggest for your consideration whether it [illegible] not be well to propose [illegible] dictions, determined on [illegible] grant [illegible] in the State to be [illegible] the benefit of all the Counties, and [illegible] home, under the direction of the Legislature, or at least a minimum price after [illegible] been published [illegible] of [illegible] should be added to [illegible] the income thereof to be applied to the same purposes as the [illegible] to be [illegible].

If this [illegible] [illegible] [illegible] should be well [illegible].

It will also be [illegible] that [illegible] Secretary to that [illegible] and [illegible] that the Counties should be [illegible] lands [illegible] of the best [illegible] applicable for the support of schools.

If the adoption of either of these [illegible] the present [illegible] of the Constitution, which only authorize them to [illegible] for [illegible] years, they are [illegible] in the purposes which they were granted, because [illegible] lands is so [illegible] [illegible] not be leased for so short a period, [illegible] any revenue.

I invite your attention to the importance of establishing a State University, which shall afford to our youth all those opportunities for obtaining a liberal education, that are to be found in any part of the Union.

The cause of religion has rightly [illegible]

of educating our children within the reach of parental care and, where they can daily witness the practical operation of our government, the institutions and laws, and become patriotic citizens, inhabits and sympathizers of the people with whom the lot is destined to associate in after life.

To secure these advantages is worthy of an effort on the part of the State, and I recommend that the sum of three hundred thousand dollars of the United States bonds, owning our State, be appropriated as a permanent fund, to be increased by the proceeds of the general sale of the University lands, at not less than a minimum price, after they shall have been subdivided into small tracts, and that the income of this fund be applied to the erection and support of schools and institutions.

This will be sufficient for a few years to erect the necessary buildings, employ competent teachers, and, when the institutions are established, and, then the institutions on a sure basis for future prosperity, it will be sufficient.

While upon this subject, it is proper I should inform you that a portion of the University lands have not yet been selected, and I suggest that a sufficient appropriation should be made to pay the expense of selecting and securing them.

I deem it my duty to call your attention to the necessity of establishing a hospital for disabled soldiers. If we had such an institution in our midst, where those who afflicted with disease, could be promptly placed under the care of persons skilled in the nature and treatment of their ailments, a large proportion of cases of permanent disability might be restored to health, and the condition of all greatly alleviated.

We also need an institution for the education of the deaf, dumb and blind, where these unfortunate classes may be taught their duties and responsibilities as citizens, and become useful members of society.

Institutions of this character are necessary and necessary, but they cannot be founded and sustained without the aid and patronage of the State.

I therefore recommend that two hundred and fifty thousand dollars of the Illinois State bonds, now in the Treasury, be appropriated as a permanent fund for the erection and support of a suitable hospital, and a like amount be appropriated for the same purpose for the deaf, dumb and blind, and that the Legislature make such other appropriations as may be necessary for the erection of these institutions and to secure their usefulness of them, when completed.

[illegible]

[illegible]

[illegible]

[illegible] the 21st of August [illegible] construction of the road [illegible]

[illegible]

Upon the portion of the [illegible] work has been done. [illegible]

Some of the contractors [illegible] that the deposit [illegible] work [illegible] and the [illegible] Final [illegible] have been received from those contractors, the [illegible] which includes also [illegible] but the company has never been organized, and it [illegible] all the contracts forfeited, so that the whole subject is [illegible] entirely within the control of the State.

[illegible] for your consideration whether the law shall be continued in force.

The great advantages that would accrue [illegible] from this road, make it a subject of deep interest to all classes of our Citizens, and should induce all to favor the increase of [illegible] reasonable hope is entertained that it will be constructed under the law.

As a part of a great national highway from the Mississippi to the Pacific ocean, it is probable that the liberal grants of land offered by this law, would secure its construction. Similar land grants were offered for the construction of a road from the Mississippi river to the point of commencement, and also for the continuation from El Paso to the Pacific ocean. But as there is a good road from the eastern line of the State to El Paso it would not prove to be a profitable work during the present generation.

A road from the Colorado river this road would place through a region that contains, in a few years, materials sufficient for construction and travel to make it a paying road, but contains no road. Still here also concluded from the Mississippi river to the point of commencement, the uncertainty and expense that would attend the transportation of the iron and other materials to the point of commencement would be so great as to deter any company from undertaking even this part of it.

It is probable that a company may be found who will undertake the construction of this portion, provided they are allowed to run a road over the same route from the point of permanent navigation on the waters of some of our bays, up to the line upon which it is proposed that the Pacific road shall run, and then back to the eastern line of the State and direct to the Colorado river.

This change would make the commerce serving to the coast, for the transportation of materials, for they could be brought to the point of commencement with the same facility that they could be carried to the Mississippi river, and from thence they could be transported over the road as it progresses, at an inconsiderable cost.

It will be found, however that it cannot be construed at the rate of one hundred miles for each year; for if any roads in the United States have been constructed at the rate of fifty miles a year, and it will severely try the energies of any company, whatever may be their resources, to construct a road at that rate.

These suggestions will suggest themselves to every one who takes a fair view of the subject, and should be considered by you in determining upon a course of legislation in regard to it.

The friends of a practicable road will urge our legislation in regard to railroads generally.

We have chartered thirty-seven railroad companies, and have held out greater inducements, for their construction than were ever before offered by any government.

It is now nearly four years since a bonus of eight sections of land [illegible] [illegible] constructed and ready [illegible] [illegible] increased to eighteen sections [illegible] miles [illegible] [illegible].

The result of these efforts [illegible] that one road of [illegible] operation [illegible] Harrisburg on Buffalo Bayou [illegible] of Richmond on the Brazos [illegible] The Galveston and [illegible] [illegible] Houston and [illegible] [illegible] [illegible] [illegible]

[illegible] now in [illegible].

I do not [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] short period to complete the [illegible] [illegible] the laws now in force.

[illegible] should [illegible] where a road [illegible] such roads as [illegible] already [illegible].

Every railroad Company [illegible] required to hold all meetings, [illegible] the State, and [illegible] of its directors residents citizens thereof, and [illegible] offices for the management of its affairs within the State.

[illegible] of the errors [illegible] the subject.

I [illegible] granted [illegible] If these charters [illegible] [illegible] as [illegible] designate their [illegible] of Commencement [illegible], and grant charters to commissioners who should be required to open books for the subscription of Stock, after giving publication. No subscription should be received unless five per cent. thereof is paid at the time of subscribing, and whenever the per centage on the Capital Stock subscribed

shall amount to one hundred thousand dollars, let the Commissioners be authorized to call a meeting of the subscribers and hold an election for officers; after which the subscribers should become a corporation with all such powers as are set forth in the charter. The commissioners should have no right conferred by the charter, except as trustees, for the benefit of the subscribers when they organize and become a corporation, and should be liable to a heavy penalty for receiving subscriptions of stock without the payment of five per cent thereof in cash. The corporation thus organized should have authority from time to time to receive further subscriptions to the capital stock, to the full amount thereof, after giving public notice, the subscribers in all cases paying five per cent of their stock at the time of subscribing.

In pursuance this course, our railroad charters will soon be offered for sale by individuals who have obtained them for purposes of speculation. Those who wish to see such railroads will obtain charters without hesitating a moment to the persons who have undertaken the responsibility to pass them, and we shall have no more corporations organized without to impose upon the credulous and unwary, and stand in the way of those who have the responsibility and means to construct railroads.

While in substance the recommendations under the future contemplated approach by the State for the encouragement of railroads, it becomes to consider such [illegible] as appears to be most in accordance with a condition and a specific policy.

The Greenwich Aqueduct, Bangor and Orono Road, [illegible] completed themselves for at Greenwich during the present year. The Delaware and Hudson Canal Co. or Delaware Company, and the Schuylkill Navigation and Mauch Chunk Company appear to complete between twenty-five and thirty miles made by the 30th of January, 1836, and to develop the mines of Pennsylvania and the mills.

These companies will shortly be enabled to contribute [illegible] the wealth of twenty-five millions a year or less than the epoch of the Bank of England. If they point to the Hill, the Pennsylvania Canal and the Pennsylvania Railroad, we will show the dividends of the Bank of England, but the latter be secure and this, will leave the conclusion [illegible] to the [illegible] to see which is.

The Schuylkill Navigation [illegible] the

[illegible] of the [illegible] Treasurer.

It is possible the [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible]

The passage of a law [illegible] at the last session, authorizing the [illegible] [illegible] [illegible] twenty-four miles [illegible] [illegible], affords great relief to that section that is on [illegible] need of railroad facilities, [illegible] market, and would [illegible] the greater part of the State, which is now suffering for want of such facilities, in the same destitute situation it now is, without any certain prospect of being supplied.

What our citizens need is a general system of Internal Improvements by railroads, [illegible] and canals, that will extend [illegible] [illegible] section of the State as nearly as practicable, and give [illegible] [illegible] transportation to their products to a market.

This, I believe, can be obtained without [illegible] [illegible] [illegible] judicious use of our public domain,

[illegible] upon a considerable internal improvement system as we are now [illegible] and by which they were compelled to yield to the necessities that such a system [illegible] lands, property, and the railroads at which they [illegible] in transportation of their productions and supplies.

Our unappropriated public domain is estimated at about one hundred millions of acres. Suppose that one half of it is selected as suitable for cultivation, which is a large estimate, then we would have fifty millions of acres, which are [illegible] one and a half billions of dollars. [illegible] a small [illegible] of the value, [illegible] system of sales, to be effected [illegible] if the wealth and population of the State is increased by the proposed improvements, it would [illegible] three times that amount [illegible] years.

[illegible] that [illegible] acre, [illegible] the proceeds [illegible] the [illegible] hundred millions would be six millions of dollars. This would leave [illegible] to be applied to works of [illegible].

A [illegible] would be [illegible] from time only by gradual [illegible] through a course of years. In order to commence the system [illegible] it would be necessary [illegible] by the [illegible] of the State, to [illegible] internal improvements [illegible] hundred dollars of the taxable property of the State [illegible]. Such a tax [illegible] for the year 1857, which is as early as the system could be commenced, would produce at least [illegible]. This [illegible] one [illegible] and one quarter millions of dollars. The [illegible] allowing the increase in the value of our taxable property to be [illegible] per cent [illegible] year [illegible] 1856, ([illegible] much greater) would [illegible] in 1867 the sum of [illegible] which would [illegible] of eight cent [illegible] quarter millions of dollars.

This would enable us to [illegible] the [illegible] to the amount of [illegible] and one quarter million [illegible] before the close of the year 1861 [illegible]

[illegible]

[illegible]

[illegible] of our [illegible] increased [illegible] amount [illegible] of the [illegible] property of the State [illegible] years.

The system of internal improvement by railroads, [illegible] and canals connecting the different lakes and [illegible] inter-oceanic

Eighteen hundred miles of railroad are to be located as to accommodate every section of the State that is now inhabited, and [illegible] the North east corner of the State, that is not within a convenient distance of a [illegible] or canal, shall be more than twenty five miles from a railroad.

The average cost of building and equipping railroads in this State will not exceed Eighteen thousand dollars a mile, if paid for with money at the market [illegible]. At this rate, eighteen hundred miles would cost [illegible] millions [illegible] hundred thousand dollars.

The amount deducted from thirty-one and a half millions, the estimated sum to be realized from our public domain in the next fifteen years, would leave five million and nine hundred thousand dollars, which could be applied to the improvement of our navigable rivers, cutting canals to connect all the bays and water courses along our coast, from the Sabine to the Rio Grande and to any other objects of public utility.

This system, to be successful, must be made the foundation of future of the State and incorporated into our Constitution so as to be placed beyond the reach of change by legislators.

The routes over which railroads are to be constructed — the rivers whose navigation is to be improved and the canals which are to be made, must be specified — the lands must be set apart as our Internal Improvement fund — the time and manner of their survey and sale must be fixed — the Internal Improvement Bay must be created — provision must be made that the credit of the State shall never be used to any one work beyond what the internal improvement bay and the net earnings of the public works will pay the interest of — and the works specified shall all be carried on simultaneously until their final completion — all this must be done by a constitutional provision — otherwise, it is possible, future legislators may render public other works before those designated shall have been completed, or may neglect and attempt with the progress of the works, and endeavor to hasten their completion by an increase of taxation, so as to make it oppressive, or by the use of State credit beyond the means provided for sustaining it, and thereby defeat the whole system.

Under this system, the improvements will progress from its completion, simultaneously with the increase of the population and wealth of the State. Each mile of water-course will increase the value of the public lands and of individual property, and the ability of the State to pay — and thus the system will increase in the same ratio.

Such a system can never become oppressive, and the restrictions proposed to cause it can never stand, since are stronger more than the internal improvements bay. This will be light compared with the direct benefit. Our infant State and Bonny Bay, including this, will be but thirty-seven and a half cents per annum, equal to three mills and seven and a half cents of a mill on the dollar, which is hardly felt in the treasury of the State of the Union.

were worth three dollars will pay four mills and a half mills upon all such property, the same rate of tax and price, pay seven dollars and six cents upon a section of land.

Now each acre of this land pays five mills and five eighths of a mill towards the State and County purposes, but when the above increased value is given to it by a macadamized road, the same rate of money produced by the present tax of twenty-five mills tax on the hundred dollars, may be raised by a tax of one eighth on the hundred dollars, or less than a fifth part of a mill on the dollar on each acre of this land, supposed taken into the tax, one half and two mills towards this improvement. A property worth ten dollars will then pay eight mills; each acre worth six dollars will then pay four mills and eight tenths of a mill, and each acre worth three dollars will then pay two mills and four tenths of a mill.

This example clearly demonstrates that a general tax for internal improvements to operate equally upon all its property must be in proportion to the benefits conferred.

The present system of making donations of land to railroads is not the most equal way of operation. Thus this contribution by a general tax for those sections of the State only, where the population and business promises to make such roads a profitable investment of capital, can avail them. Values of these donations, while under a general system by the State, the tax by sections of road will contribute towards the construction and support of roads in those sections where they will not pay a profit, and then they will be lended to portions of the State, where they would not be constructed for many years to come, by private capital.

The State may well afford to carry out a general system of internal improvements as their manner now exists the aggregate tax, never, may prove, since the cost of their repairs and of operating them for the State is compensated by the increase of its population, and the increased value of its taxable property, which considered to be great enough.

One of the great advantages that our citizens will derive from the many work of internal improvements constructed and owned by the State, will be, that instead of keeping the price of transportation and travel at exorbitant rates as will make these sources of profit as much so as if they were owned by corporations, the State may afford to charge, rates as these rates do the expense of repairs, operations and keeping in repair.

The expense of repairs in proportion to the value

[illegible]

subject.

Those who have not maturely reflected on their subjects, may think that a system of [illegible]

improvements, requiring an expenditure of twenty-five or thirty millions of dollars, is too great an undertaking for a State containing three or four hundred thousand inhabitants, but they should recollect that only a small portion of this expenditure is to be made immediately, that it is to be extended over a period of years, before expiration of which our population, under the influence that such a system will give to immigration, will have increased to at least one and a half millions; and that we have a public domain, such as no State or Territory before possessed, which will be trebled in value by these improvements, and will be more than sufficient to set this large expenditure.

They may also think that fifteen years is a long period to wait for the permanent benefits of this great system of internal improvements, which is to produce these great results, but they should also recollect that few great enterprises are ever completed during the age of those who commenced them.

Our population of three millions is a small one compared with the power and resources of this great, wide extended commonwealth, whose agricultural and mineral wealth has been partly developed; and fifteen years is but a short period in our history.

Those who legislate for such a State, should think and act, not only for the present moment, but for posterity, whose lot will be influenced by our measures, whose wants we can only dimly see, and whose rights we are sworn to protect as a sacred and inviolable trust.

We, too, are guardians of a noble heritage, bequeathed to us by our forefathers, to be transmitted to our posterity. When we shall have entirely passed from the scene, our heirs, secured in our inheritance, and possessing the means of improvement, will, as we hope, be the happy people to whom our posterity will look back, as we look back to our forefathers, and say that we were the pioneers who first explored the way, and laid the foundation of their prosperity and greatness. Let us, then, be worthy of our ancestors, and so labor that posterity shall say of us, that we were not unmindful of our trust, but that we so improved our inheritance, that we have left it, with increased value, to our children.

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I have dwelt upon this subject at length, because my views in regard to it have been misrepresented only, and misunderstood by others, and I feel that it was my duty to do so myself, to place them properly before you and the people of the State.

Neither of these, nor any other system of internal improvements should be undertaken, requiring an expendi-

-ture of money by the State, which can be only raised by taxation, until it has first been submitted to and received the sanction of the people.

Nor do I think that any such system should be commenced, unless a constitution [illegible] adopted, securing it from [illegible] to legisla-tion.

The use of the credit of the State in either of the modes here proposed, will require an amendment of our Consti-tution. This can be done either by calling a Convention for that purpose, or by proposing the amendments to be voted on by the people. I should be unwilling, how-ever to see a Convention called unless a vote of the people first obtained in favor of such a measure.

Should the use be [illegible] I [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] of the State is properly protected.

An election was held on the first Monday in August 1854, in each County of the State in accordance with the provisions of "An act regulating the retailing & sale of Spirituous liquors," passed 11th of Feb. 1854, [illegible] [illegible] State [illegible] [illegible] [illegible] [illegible] [illegible] by large majorities [illegible] [illegible] and licenses to retail [illegible] [illegible] have been re-fused, except in the Counties that voted in favor of them.

Owing to a supposed defect in the act in not prov-iding any penalty against those who [illegible], the law has been inoperative, and Spirituous liquors have been sold in small quantities in every County in the State to as great an extent as they were previously.

When this Act was presented to me on the last day of the session, I considered it too defective to accomplish the object intended by it, but there was no time to return it to the Legislature and to have another passed supplying its defects.

Believing that it might do some good to obtain-ing an expression of public sentiment on the subject, which would influence future legislation, I allowed it to become a law.

It is very probable that the result of the vote upon this question, may induce an effort at this session, to

pass what is commonly called a prohibitory liquor law, such as been tried in many of the Northern States.

While I do not question the constitutional power of the Legislature to enact a law prohibiting the sale of intoxicating liquors in this State, except so far as their sale may be authorized by importers under the laws of the United States I feel constrained to say that I believe such a law would be impolitic.

A close observation of the operations of such laws and their effects upon society and upon the evil which they propose to remedy, has produced the conviction with me, that their influence is anything but salutary.

Although called prohibitory, none of them do entirely prohibit the sale of intoxicating liquors. They all proceed upon the principle, that their sale for some purposes is necessary, and all authorize their sale, for mechanical, medicinal and sacramental purposes.

While a sale of liquors is allowed for any purpose it is extremely difficult to confine it to the purposes specified, and it is impossible to do this, it has been found necessary to establish and encourage a system of espionage into the affairs of individuals inconsistent with the proper enjoyment of personal liberty, and a system of harsh and unusual penalties and punishment entirely disproportioned to the offence committed.

Even these extraordinary means have failed to stop the use of intoxicating liquors, or to prevent intoxication, if we may judge by the records of the criminal courts of those States where such laws are in force.

I do not believe that such laws cause or generally diminish in this State. That I think is one of the evils caused by the use of intoxicating liquors in an unprovoked sense of prudence and regulating their sale.

Based upon these and other considerations, I have never publicly [illegible] my opinions in favor of temperance societies, [illegible] the agency, and the several other [illegible] in their use.

It is their opposition to such societies, that caused most of the personal remonstrances which I received on my tour, in [illegible].

[illegible] that will probably [illegible] deserting [illegible] from a large portion of the [illegible] the use of intoxicating liquors. Such a [illegible] within the [illegible] of other [illegible] and [illegible] the [illegible].

[illegible] the [illegible] [illegible]

Governor of this Department made a requisition upon me, for six companies of Mounted Volunteers, to be mustered into the service of the United States at this place on the 1st of November of that year, for the purpose of a campaign against those tribes of Indians upon our frontier, who were at that time making frequent hostile incursions into our settlements.

To meet this requisition, six State companies [illegible] six battalions, [illegible] from each.

[illegible] that [illegible] were [illegible] not [illegible].

[illegible] made on the War Department at Washington City and those made by General [illegible] from my best recollection [illegible] was in the [illegible] State [illegible].

Following [illegible] made on the [illegible] by Genl Smith when he [illegible] Governor [illegible] and [illegible] embodied [illegible].

Upon the [illegible] of the command of General [illegible], I had [illegible] these [illegible] mustered into the service of the United States at different periods between the 1st and [illegible] of November.

A contract was made with Mr. J. L. [illegible], a merchant of this City, for the supply of the subsistence, forage and transportation, and use of the camp equipage, ammunition, &c. required for these troops while they should remain in the service of the State. These articles not furnished by Mr. [illegible], which [illegible] but a small portion, were purchased from persons at points where they were needed, until the [illegible] should be paid for them either by the General Government, or by this State.

An appropriation of [illegible] thousand dollars was subsequently obtained from Congress by our Senators and Representatives, to pay the expenses of subsisting these Volunteers previous to the time they were mustered into the service of the United States and Mr. [illegible], upon application at the United States Treasury, was paid the amount due him under his contracts. The

other parties, who are numerous, but whose several claims are small, have not yet been paid. The appropriation is ample to cover them, but they have delayed sending them to Washington City for payment, on account of the trouble and expense that would such a course, and I recommend that an appropriation be made for their payment from our Treasury, and that the vouchers be forwarded and collected from the United Treasury for the benefit of the State.

It is perhaps proper I should state, that in making the contract with Mr Emerson, it was understood that he should receive an advance of thirty-five thousand dollars, and that for the residue, which amounted to about seventeen thousand dollars, he should wait until an appropriation could be obtained for his payment.

In order to make his advance, an unexpended balance of an appropriation, made by the last Legislature, for the rescue of captives in the hands of the Indians, was drawn from the Treasury on my own responsibility, which was subsequently reimbursed by Mr Emerson after he was paid by the United States.

An appropriation was also made by Congress, which was considered sufficient to pay these troops for their services, but when they were paid off, the Paymasters only had orders to pay them from the time they were actually mustered into the service of the United States. Consequently, they have never been paid for the time their transport, between the 1st of November, when the Indian invasion is entered by the United States, and the time when they were mustered.

The State will, without doubt, when this matter is fully understood at Washington, and means are there in hand to be applied thereto, pay their service, but in the mean time these men are deprived of what is justly due them.

They were called from their homes at great expense, solely in consequence with the law and the authority vested in the Commander in Chief of the Militia.

It was not their fault that they were not received into the United States service at the same organized designation by Just Smith, for they were promptly at the place appointed, and they should not be prejudiced in their pay.

I therefore recommend that an appropriation be made for their pay, and that it be paid from the United States Treasury.

A Statement of [illegible] [illegible] in [illegible] [illegible] of the supplies [illegible] [illegible]

A [illegible] [illegible] General [illegible] [illegible]

[illegible]

[illegible]

Capt [illegible] was directed to [illegible] [illegible] [illegible] marauding parties of [illegible] that might [illegible] in that neighborhood, in which case, he was [illegible] to follow them up and chastise them wherever they might be found.

He was subsequently directed to divide his company and send a portion [illegible] as [illegible] protec-tion to the settlements in Medina and [illegible] Counties, West and South of the point where he was at first direct-ed to employ his entire Company.

This company had several skirmishes with small parties of Indians, killed many of them and recaptured many horses which they had stolen [illegible]

These [illegible] were [illegible] and [illegible] a great degree to restore [illegible] to the [illegible] -ments [illegible] which they were obtained.

[illegible] depredations continued to [illegible]

several of our citizens were killed by small parties of Indians in Bexar, Gillias and other counties distant from the operations of this company.

Small parties of our citizens rallied, pursued and had several encounters with them, in which many Indians were killed, who proved to be Lipans, now on the West side of the Rio Grande.

Near the close of September, Capt. Callahan, with a portion of his Company and other citizens, who volunteered for the occasion, from Hays, Guadalupe, Bexar and other counties, consisting in all about 115 men, pursued a party of Lipan Indians who had been into our settlements committing depredations, to near the Rio Grande, where he had an encounter with a large party of Indians, consisting of many citizens of Mexico, in which fifteen of his command were killed and several wounded and, as a large number of the force attached to him were all not recovered

The Indians, are chiefly citizens of Mexico who acted with them, retreated from the battle ground, and during the night Captain Callahan, left them and occupied Piedras Negras, a small village on the West bank of the Rio Grande opposite Eagle Pass.

He was subsequently attacked by a large body of Indians composed principally of Kickapoos, and to secure a safer retreat to his battle ground on the Rio Grande, it became necessary for him to evacuate the village.

His report shows that he crossed the Rio Grande, in pursuit of Indians who were escaping with property stolen from our citizens, and that he was fully justified in doing so, by the laws of nations

It appears from this report that the Kickapoos have recently received considerable reinforcements, with a view to attack, but it was their intention to attack the village.

When the news of Captain Callahan's fight reached us, giving an account of the circumstances that attended his pursuit of these Indians into Mexico, his engagement with the Indians, and those who aided them and their subsequent occupation of the village of Piedras Negras, we felt we were called upon, protecting his conduct, while it exposed of his pursuit that danger which was condemned, and it was directed to retire at once, within the limits of this state.

It is proper to be remarked that it appears from the letter of Mr. Ewing to Mr. Ogden, the order for recall was retracted. But the fact is the Rangers were in fact made aware of the danger and in consequence

as these enable the Executive [illegible] contained in this regard.

[illegible]

[illegible]

[illegible] Assuming [illegible] received from Gen. Smith, that the Texian [illegible] was filled up to its [illegible] [illegible] Indians [illegible] Reg [illegible] employed [illegible] in the last eighteen months.

It is proper in this connection, I should inform you, that efforts have been made by some of our citizens, since the return of Capt. Callahan's Command from the Rio Grande to raise Volunteers to enter Mexico

and chastise the thieving Indians and that I would in a month or two designate a rendezvous for the assembling of all those willing to engage in such an enterprise.

While I believe that we shall continue to be troubled more or less by the thieving Indians, until they are punished by our government or properly restrained by the government of Mexico, I am unwilling to see unauthorized bodies of armed men undertake such an expedition, and have taken every opportunity to discourage the design, since giving countenance to it.

The United States government has selected and surveyed twelve leagues of land, for the use and benefit of the several Indian tribes residing within the limits of this State, under the provisions of "An Act relating to the Indians of Texas," approved the 6th of February, 1854.

These lands have been delineated upon the maps of the land districts in which they are situated, and a plot of them, with the field notes of their survey have been returned and deposited in the General Land Office.

They are selected in two tracts, one of eight leagues, situated below Fort Belknap, upon the Brazos River, and one of four leagues on the Clear Fork of the Brazos, a short distance from the former.

The agents who made these selections and surveys for the United States were of opinion that they were to contain twelve leagues of American measure, instead of Mexican measure, by which mistake an excess has been surveyed.

The plats and field notes of the surplus, [illegible] the other measure, were retained by the agents, and are not delineated on the maps of the General Land Office.

If in the opinion of the United States that the [illegible] by Congress should be [illegible], as there [illegible] probably be better suited to the purpose for which it was designed.

Upon a former occasion, I recommended an alteration of the Constitution, providing for an increase of the number of Judges of our Supreme Court. Though the last Legislature failed to act upon that recommendation, I still adhere to the opinion I then entertained; and subsequent observation and experience have tended to strengthen the conviction that such a change would promote the interest of the State.

The reasons which induced the Convention to fix the number at three no longer exist.

The cases to be decided were thirteen — For Bigamie [illegible] numerous: the [illegible] that were also [illegible] comparatively light — [illegible] encouraging [illegible]. The business of that Court has [illegible] at [illegible] -ance, that [illegible] [illegible] [illegible] and respectfully [illegible] [illegible]

[illegible]

[illegible] Court [illegible] [illegible] be amended.

[illegible] consider [illegible] [illegible] of [illegible] [illegible] for failure [illegible] the [illegible]

I also recommend [illegible] our Cabinet charge. Their labors are great their salaries are low, and they ought to be increased.

I also recommend that provision be made for obtaining an accurate Geological Survey of the State. We need it to ascertain [illegible] of the properties of our soil. By [illegible] we can bring to bear upon it the light of science and can know its component parts [illegible] its hidden treasures.

The Reports of the Directors and Superintendent of the State Penitentiary, and also of the Financial Agent thereof, for the years 1854 and 1855, are herewith transmitted for your information.

They show that the affairs of this institution have been ably and successfully managed. Your attention is respectfully invited to the many judicious recommen

recommendations contained in the report for the present year, and particularly to that of the Directors in relation to the increase of the salaries of the Superintendents and Visitors in paying.

The duties of these officers are arduous and responsible.

The present incumbents have shown themselves to be well fitted for their stations, and they should receive a compensation for their services commensurate with their value.

In publishing these reports, I would suggest that the matter in the second of the Appendices be omitted, as it is of no value to the general reader, while they add greatly to the cost of publication.

I would also suggest that one hundred extra copies be printed for the use of the Superintendents to enable them to exchange report with other institutions of a similar character by exchange, which would be a most thoroughly acquainted with the management of the institutions in their State and country.

The reports of the different Executive Officers will be found with my own, for your information, as soon as they can be completed. The general law requires them to make to the Legislature of their offices up to the first day of November, which does not allow sufficient time to have them printed and sent out to the Legislature at the commencement of the session. I would therefore suggest that the law be changed so as to require these reports to be made up to the 1st of January, instead of the 1st of November.

The Short report of the Commissioners appointed to prepare a Code of Criminal Jurisprudence, revising, digesting and amending the laws of this State," is herewith submitted. Some of the progress that has been made in the work, and that it will be prepared for submission to you by the 1st of the first month.

I have matured a plan for the disposition of health, charity and criminal contributions, or funds, different from that heretofore followed, under which it has been discovered that numerous frauds have been committed, but the present bearing of the Office of the Inspector General is adopted most of the original recommendations upon which County and Township contributions were founded.

This has been the plan recommended, and which I do not doubt will be found very much better.

I hope, however, which is what I write, to be able to remove a large deficit, necessary in the expense of our local boards, and to prevent, upon by

[illegible]

which, in accordance with the rights of individuals, and of the State will be properly guaranteed.

The [illegible] have been [illegible] to the friends that have been persecuted in other [illegible] for conscience sake, [illegible] of their rights [illegible] special charge.

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] cordial.

[illegible] at midnight. [illegible] Prairie Grove [illegible] or Fayetteville, [illegible] from [illegible] from [illegible].

Various instances of personal and deep interest, that might reasonably have been looked for in a communication, but they [illegible] doubtedly occur to you and receive that attention that attention which their importance demands.

I have endeavored to give each representative of the State other government, as I thought would

be useful, and to recommend such amendments as may be necessary to remedy the defects that experience and the administration of government may develop in our system, and to secure and improve our civil and religious rights.

If necessary, with regard to future effect to secure of rights we have in prospective, and to encourage the virtue and intelligence of the people, and to secure the blessings of our civil and religious rights.

E M Pease

Austin Feb, 1855.

The State of Texas
Executive Department

I, E. M. Pease Governor of the State of Texas, do hereby certify that from an examination of the returns made according to law to the Secretary of State, of the votes given for a Representative in the Congress of the United States from the First Congressional District of said State, at an election held on the sixth day of August A.D. 1855, in the several counties composing said Congressional District, it appears that Samuel D. Evans received the highest number of votes given for said Office of Representative; and I hereby declare that said Samuel D. Evans has been duly elected to said Office.

In testimony whereof I have hereunto signed my name and caused the Great Seal of the State to be affixed; done at the City of Austin, this the sixth day of November A.D. 1855, and of the Independence of Texas the twenty-ninth Year.

Seal

E M Pease

By the Governor

Edward Clark
Sec. of State.

Department of State,
Washington, 1st of 9th mo. 1851.

To His Excellency the Governor
of Texas

[illegible] establishing by mutual agreement, the precise limits of the Province of Texas, from the Gulf of Mexico, to the Rio Grande, where it intersects the parallel of [illegible]

On the receipt of your letter of the Secretary of State, [illegible] the Commissioner appointed by Texas, [illegible] the Commissioner appointed by the United States, [illegible] the Commissioners appointed by Texas, [illegible] of the last instalment, upon the receipt of a [illegible] he expects [illegible] to be [illegible] by the Commissioners appointed by the United States, [illegible] the Secretary of State, [illegible] the Commissioners appointed by Texas, [illegible] Commissioners, contract for the purpose [illegible] made in Washington City, for the Texian [illegible] of [illegible] hundred and sixty-four dollars, [illegible] Harrell, for the Western District, at the rate of [illegible] hundred and twenty-five dollars, [illegible] divided for the object [illegible] in [illegible] their gross [illegible] By these contracts the general Special rules, and the provisions of the 5th and 11th volumes of Supreme Court Reports, and Laws of the 32d Congress of the United States, together with sketch copies of Standing Project and Laws of the State, [illegible] contained in said Digest, as were required to be sent out, were forwarded to the several Counties, for the sum of eight hundred dollars, a sum much [illegible] than same labor had previously been [illegible] for, and [illegible] hundred dollars, that the amount appropriated for the purpose. The contractor performed faithfully the [illegible] contract and adhered to their [illegible] he [illegible]

of the Broker officers for the books taken out, which I accept as an entirely gratuitous service. The 8th volume of Reports has been regularly distributed through the mail from Tolmadge, by the reporter; the 11th volume was forwarded by mail from this City during the past summer, & yet the 10th just received, is now in office except the copies sent to the General and State Governments and the Territories. It will be understood that the Reports and the copies of the laws and journals required to be sent to the Archives of Congress, the Federal officers at first, & then, the Executives of the several States and Territories, have been regularly & promptly forwarded.

I beg leave to respectfully suggest through your Excellency to the Hon. Legislature, that the Number of general laws now required to be printed, is insufficient to answer the wants of this State. After sending copies to the Countries and other functionaries designated by law, the prescribed number of the last Legislature, & few were left for sale or even thought advisable to preserve in a bound additional copies, and of this manner very few remain, & have frequently been sought for and sent to Counties where an accession of new officers created a demand for them. The supply has been deficient not-enough, and I would respectfully suggest that an addition of one thousand copies would not be too great.

Frequent applications have been received for the Legislative Journals, some of which, however, being of stated, received their complete sets, and that increased number being requisite in others, I have ventured to increase the number of copies. As far as the funds of the State, I complied with these requisitions. I have in some few instances, refused to give them out, the copies now in the City being about sufficient only for the use of the Legislature. I have not inquired of how many copies were furnished the last Legislature. If such information is deemed of any benefit, it may be found at a subsequent period.

It is presumed, however, that that number will not be exceeded, as only about forty were returned to this office.

Frequent public documents & officers are received at this Department from the General Government, through which orders are to be complied upon the State Requisitions of principle. The appropriation having heretofore been made to meet the expense, I venture to hope that no difficulty may be encountered, if the Act requisitions are promptly met. It might be worth, however, to ascertain if appropriation should be made by this Legislature without after laws

of the different States, which are not found in the library. I suggest this for the convenience of our citizens, whose interests sometimes require them to obtain from this Department copies of laws of other States.

The duties imposed upon the Secretary of State, separately and conjointly with the Treasurer and Comptroller, by an act approved the 11th of February, 1854, relating to the Archives of the Legislature, have been performed. [illegible]

[illegible] passed by the Congress of the United States [illegible] to the proper [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] 11.109
[illegible] 15.818
[illegible] 26.927

[illegible] above statement [illegible] [illegible] [illegible] people [illegible] together with [illegible] [illegible] conclusions that [illegible] of a majority of the voters of Texas [illegible] measure.

Through the [illegible] committee of the House, I endeavored to call the attention of the [illegible] here, to the crowded and exposed condition of this Department. [illegible] the term of the session [illegible] usually there is a great rush of business, and the members are anxious to return to their homes. The failure to do anything for the safety and better accommodation is attributed to the cause above mentioned.

The building is one of the oldest in the City — the floors but little raised from the ground, have, on times of excessive rains, been inundated, and as my clerks necessarily tread upon the floors, injured. It is to be regretted that the library, for which it is destined,

is disappearing rapidly, and can not be preserved. It is constructed entirely of mortar cloth, and exposing to every exposed position in the City is continually in danger of being burned. Should it be destroyed, the loss of the State, in a pecuniary point of view, might not be very great, yet, it would be in other respects. Besides our extensive library, containing some valuable works, lies our records here commencing with the early history of the country, and extending through some of its most interesting periods — documents connected with, enriched and illustrated incidents of the days which tested this, our land from rebellion and gave it to freedom — facts which ought to be, and are dear to all. Facts which it should be interesting to the State to preserve, and for which I respectfully suggest it would be becoming in the Honl. Legislature to provide a safe repository than the one which now is found them.

I have the honor to be,
Very respectfully, your obt. Servt.
Edward Clark

Proclamation
By the Governor of Ohio.

Governor's Office, Thursday the 29th day of November, 1866.

Be it known, that the People of this State, as a day of Public Thanksgiving, set apart to Praise, and invoke the Clergy of Heaven, recognized denominations in this State to meet for religious congregations, on that day, at their usual places of Public Worship, and unite with them in thanks giving and Prayer to Almighty God for the numerous blessings we have enjoyed, and the additional assurance of his divine favor and protection.

In Testimony whereof I have hereunto designed my name, and caused the Seal of the State to be affixed, at Columbus, this 10th day of October in the year of our Lord one thousand eight hundred and sixty seven, and of the Independence of the United States the ninety second.

(Seal)

Edwd Clark

By the Governor:
Edward Clark
Secretary of State.

Proclamation [illegible]

By the Governor of the State of Texas.

Whereas, [illegible] committed [illegible] in the County of [illegible] Texas on the 18th day of [illegible]

[illegible]

[illegible]

E. M. Pease

Edward Clark
Secretary of State

[illegible] — [illegible] high — weight [illegible] pounds [illegible] generally [illegible] on one cheek and [illegible] one inch long — [illegible] slow and [illegible]

[illegible] offered [illegible] of said [illegible].

The "Austin State Gazette" and "[illegible]" were authorized to publish the above [illegible].

Executive Department
Austin, November 9th 1855.

Gentlemen of the Senate,
and House of Representatives

In the month of July last a reprieve was granted to one Albrichs Gehrke, then in confinement in the Jail of Harris County under sentence of death, to be executed on the 2nd of that month.

This reprieve was granted upon the representations of respectable citizens that the prisoner was insane and not a proper object for Capital punishment.

At my request Dr. Ashbel Smith a member of the present House of Representatives, accompanied by Doctors A. A. Cone and Coleman, Sheriff of Harris County, made frequent and protracted visits to the prisoner during the past summer, for the purpose of ascertaining the true condition of his mental faculties. These Gentlemen reported that "he was sane, knew decidedly, and regards being hung as the severest penalty of the human mind, otherwise decided and as sane as ever".

Under these circumstances I believed that the sentence ought not to be executed, while I felt unwilling to pardon because of a lurking doubt upon sanity, as I felt it was in order to prevent the case of Daniel M'Naughten, I granted a further reprieve until the 1st of January next, and have since submitted his case for your consideration, with the recommendation that you take the proper Constitutional Commutation to imprisonment for the State Penitentiary.

I should have had the secretary of State prepare, if I believed that the authority was vested in me by the existing laws.

I submit herewith the petitions and testimony, and the report of the commissioners who saw and talked with the prisoner.

Ed Pease

to have, enjoy, occupy, use, possess and exercise [illegible]
jurisdiction over the same as the site for a Custom
House, Post Office and Court House for the United
States Courts: Provided always that the cession
of jurisdiction is granted [illegible] upon the ex-
-press condition that the State of Texas shall
have concurrent jurisdiction [illegible]
[illegible]
[illegible] all [illegible]
[illegible]

[illegible]

In testimony whereof I have hereunto
signed my name and caused the Great
Seal of the State to be affixed. At the
City of Austin this the [illegible]
day of November A.D.
[illegible] of the Independence
of the United States the [illegible]
[illegible] year.

(Seal)

E M Pease

By the Governor
Edward Clark
Secretary of State.

Executive Department
Austin, November 19th 1858.

Gentlemen of the Senate
and House of Representatives

I have the honor to transmit herewith, a statement of the expenses incurred on account of the different companies of Mounted Volunteers that were called into service in the fall of Nov. 1854, under a requisition of Brevet Maj Genl. Persifer F. Smith, which yet remain unpaid, amounting to the sum of Four thousand eighteen dollars and [illegible] Cents [illegible] $4018.[illegible]

The Congress of the United States appropriated the sum of twenty [illegible] thousand dollars to meet these expenses, out of which the sum of twenty [illegible] dollars and sixty-nine cents have been paid, leaving the sum of four thousand and [illegible] [illegible] to meet these claims, which yet remain unpaid.

[illegible] reference to this statement [illegible] before I [illegible] to [illegible] the rates and expenses to which each of these are entitled [illegible] their accounts to Washington for payment, [illegible] recommend that [illegible] the sum of four thousand and [illegible] [illegible] cents $4018.[illegible] [illegible] for their payment upon the presentation to the [illegible] of the proper vouchers, and also that the Comptroller be directed afterwards to forward the vouchers [illegible] and collect the amounts from the United States.

[illegible] in a communication to you at the commencement of the session, I called your attention to the fact that these Companies have been [illegible] between the 1st [illegible] of November 1854, when they should have been mustered by the United States, and [illegible] they were actually mustered, having [illegible] they were [illegible] under the authority of this State, and recommended that an appropriation should be made to pay them [illegible] this time.

[illegible] services [illegible] and [illegible] and [illegible] and [illegible]

[illegible]

State.

[illegible]

E H Rose

[illegible]

"a Penal Code" and a revision and consolidation of the laws of the General Statutes [illegible] be submitted to the [illegible] Legislature.

[illegible] for delivery to the Speaker of the two Houses.

[illegible] of the Bureau of the Census [illegible] statistics to be designated to the State.

E H Rose

Executive Department
Austin, November 22nd 1853.

Gentlemen of the Senate
and House of Representatives

I have much pleasure in
acknowledging the receipt of the amount that will be necessary to pay
for the services performed by Capt Francis H. Cuthbert and
the officers of his company, and the vouchers for the same, and
also an estimate of about the amount that will be required
to pay said Company for their services, and for horses, arms
& equipments &c, all of which if so estimated will require
about the sum of $16,121 00.

This subject was referred to in the Message I had
the honor to address to the commencement of your
session, and I now renew the recommendation then made,
and do so upon the ground of the payment of these
claims.

I also call your attention to the propriety of paying
the volunteers under the command of Captains Fenton and
Gray, who joined Captain Cuthbert on the 18th of September
last, and accompanied him on his expedition across
the Rio Grande, these two companies were in service
about one month.

I have seen with a note of Capt Fenton
contained in the vouchers of twenty days volunteering on
the part of Capt Gray, for one hundred and fifty
but it is understood that his company and companies of private
volunteers under Captains Fenton and Gray were the bearers of arms,
horses, &c, &c, and that a detachment of some twenty
of the first were dismounted by Capt Gray's command.

Ell Rusk

[illegible]

I, [illegible] do hereby certify that on the [illegible] day of [illegible] eighteen hundred and fifty [illegible] said State [illegible]

[illegible]

E M Pease

[illegible]
Edward Clark
Secretary of State

[illegible]

[illegible]

Robert [illegible]

[illegible]

E M Pease

Executive Department
Austin, Texas, November 23. 1885.

To the Hon.
The Senate of the State of Texas.

I have made the following appointments of Notary Public to which I respectfully ask your advice and consent.

Shelby County. – John O'Brien, vice W. Lewis whose term expired.
Joseph T. Toone vice C. N. Hamner deceased

Anderson County – Robert K. Gaston vice S. W. Dalton who was appointed during the recess of the Senate.
James Rogers Perry, vice John T. Gooch who was appointed during the recess of the Senate.

Hartley County – Elias J. Jones was original appointment.
C. C. McJones vice Joseph O'Connor who was appointed during the recess of the Senate.
E. S. Petty vice E. C. Cunningham who was appointed during the recess of the Senate.

Rusk County – Ed. Ferguson vice J. L. Hewitt who was appointed during the recess of the Senate.
C. C. Jefferson vice W. A. Cleveland deceased.
to be commissioned.

Hartley County – John McDonnell vice Neill Allee resigned.

Brown County – John Kimp re-appointed.
A. J. Carter was original appointment.

Virginia County – Spencer A. Tawney re-appointed.
Wm. Kathman vice Hal J. Bennett left the County

Christian County – C. F. Jack vice T. J. Jennings.

Collin County – Jerome Kirkpatrick was original appointment.

Comal County – A. J. Freeto was original appointment.
Theodore Roeder was original appointment.
Jerry A. Sanders re-appointed.

Cooke County – E. H. Fitzer was original appointment.

Cottle County – Andrew J. Harrison was original appointment.

Orlando County – C. J. Hargrove re-appointed.
Andrew J. Harris was original appointment.
N. A. Cunningham was original appointment.

Fayette County – John Knapp was original appointment.
Fisher A. Mandrine was original appointment.
Stanley Roemke vice Peter Mullins resigned.

Wood [illegible] – [illegible] vice A. J. Hunter resigned
George H. Stands re-appointed
John Hagler vice [illegible] resigned
[illegible] recess of the Senate.

Dallas County - [illegible] Coats vice [illegible] C. Haughs appointed during the recess of the Senate

Denton County. William [illegible] original appointment.
George Haverhill an original appointment.
[illegible] an original appointment.

DeWitt County - James [illegible] vice [illegible] resigned

Ellis County - [illegible] original appointment.

Falls County - [illegible]

Fannin County - [illegible] vice Saml [illegible]

Fayette County [illegible]
[illegible]

Freestone County - [illegible] original appointment.
[illegible] an original appointment
[illegible]
[illegible]

Franklin County [illegible] Campbell vice [illegible] Campbell

Galveston County [illegible]
[illegible]
[illegible]
[illegible]

[illegible] County [illegible]

Goliad County [illegible] appointed
[illegible]

[illegible] County [illegible] original appointment
[illegible]
[illegible]

[illegible] County [illegible]
[illegible]

[illegible] County [illegible] appointment
[illegible] an original appointment

Harris County [illegible]
[illegible] vice [illegible]

[illegible] County [illegible]
William [illegible] an appointment

Hays County - [illegible] Campbell an original appointment.
[illegible] an original appointment.

Henderson County - [illegible] vice [illegible]
William Cook vice [illegible]

Hunt County - [illegible] Howell vice [illegible]

Hill County James [illegible] Foote an original appointment
William Foote an original appointment
William [illegible] an original appointment

Jackson County - [illegible] Starr an original appointment

Jefferson County - [illegible] an original appointment
[illegible] vice A. H. [illegible]

[illegible] County - William [illegible] as original appointee
William B. Hedrick original appointee
Johnson County - Joel Hempfer as original appointee
Jones County - Geo. W. Hearn vice C. Cobb
Knox County - C. H. Haike as original appointee
Lamar County - O. [illegible] as appointee
Leon County - William D. Stroud vice J. H. Dermott
Liberty County - [illegible] vice H. Chambers whose term expired
William [illegible] Cannon vice [illegible] Jones
Hughes Frazier as original appointee
William [illegible] vice Edward [illegible] resigned
Madison County - [illegible] as original appointee
Marion County - Albert [illegible] reappointed
[illegible] County - [illegible] vice J. [illegible] resigned
McLennan County - [illegible] as original appointee
[illegible] Frank as original appointee
[illegible] Buckholts vice Charles Buckholts resigned
McCulloch County - [illegible] reappointed.
[illegible] Harvey as original appointee.
Montgomery County - [illegible] vice David [illegible] resigned.
William [illegible] Hyde as original appointee.
Navarro County - George W. Rogers reappointed.
Stanley Donaldson as original appointee.
Newton County - [illegible] vice Dillon deceased
[illegible] reappointed
[illegible] as original appointee
[illegible] vice [illegible] Biggs deceased
Orange County - William Hayes vice T. H. Reading
[illegible] as original appointee
Panola County - [illegible] as original appointee
William [illegible] vice [illegible], Rambo County
Red River - William [illegible] vice [illegible]
[illegible] as original appointee
Rusk County - [illegible] reappointed.
Sabine County - [illegible] vice [illegible]
San Augustine County - [illegible] as original appointee
Shelby County - [illegible] vice [illegible] deceased
Smith County - [illegible] vice [illegible] resigned
[illegible] vice [illegible] resigned
[illegible] vice [illegible] resigned
[illegible] vice [illegible] Cooper under
whom was appointed [illegible] to succeed Smith.
Van Zandt County - [illegible] as original appointee
Wise County - [illegible] as original appointee
[illegible] vice [illegible]
[illegible] as original appointee
[illegible] vice [illegible]
[illegible] vice [illegible]
[illegible] vice [illegible]
[illegible] vice [illegible]
[illegible] vice [illegible]
[illegible] vice [illegible]

Ham County - First Corp vice Ferguson.
Potter County - C. E. Rogers vice C. H. Fisher
Bailey " [illegible] vice [illegible] Jordan
Victoria County - James Ferguson re-appointed
George T. Ferguson vice Thos. [illegible] Thomas
appointed during re-recess to Senate.
Joseph Goldthwaite's term expired by left the county.
Upshur County - [illegible]
John [illegible] Corp
[illegible] re-appointments.
Washington Co - [illegible] vice [illegible] resigned
Walker County [illegible] vice [illegible] resigned
[illegible]
Hunter County [illegible]
Hopkins County [illegible]
[illegible]
Williamson County [illegible]
[illegible]
[illegible]

E M Pease

Certificate [illegible]
[illegible]
[illegible]
[illegible]
I have [illegible]
[illegible] Code [illegible]
[illegible] "The Code of Criminal Procedure" [illegible] the Code
[illegible]
[illegible]
for [illegible]
Please [illegible]
I have no hesitation in recommending [illegible]
[illegible]

E M Pease

Executive Department,
Austin, Texas, November 23rd 1865

To the Executive Authority
of the State of Louisiana.

Whereas, it appears by the annexed documents, which are hereby certified to be authentic, that John T. Shahan stands charged with Forgery and Embezzlement committed in the State of Texas, and information having been received, that the said John T. Shahan has fled from justice, and taken refuge in the State of Louisiana.

Therefore, I, E. M. Pease, Governor of the State of Texas, have thought fitting in pursuance of the provisions of the Constitution and Laws of the United States, to demand the surrender of the said John T. Shahan as a fugitive from justice, and that he be delivered to Henry Stagg, who is hereby appointed the Agent on the part of the State to receive him.

In witness whereof, I have hereunto set my hand and affixed the Great Seal of the State, affixed at the City of Austin, this the 28th day of November A.D. one thousand eight hundred and sixty five, and of the Independence of the United States the eighty ninth, and of Texas the twenty ninth.

E M Pease

By the Governor:
Edward Clark
Secretary of State.

Executive Department
Austin, November 27th 1865

To the Senate
and House of Representatives.

I herewith transmit for your consideration and action, a report from the Commissioner appointed under the provisions of "An act to pay for the apprehension of some fugitives from justice, and for other purposes" approved February 11th 1862.

E M Pease

Proclamation

By the Governor of the State of Texas.

Whereas by the death of the Hon. Joseph C. Ro[illegible], a vacancy exists in the 29th Representative District embracing the Counties of [illegible] Cherokee.

The Chief Justice of the County of Cherokee has [illegible] the Clerk of the County Court of said County [illegible] the election of a Representative to fill said vacancy, [illegible] the 22d day of November [illegible] for the election of a Representative to fill said vacancy.

[illegible] Texas, this the [illegible] day of [illegible] 1880.

[illegible]

Edward Clark
Governor of State

Secretary of State

Proclamation

By the Governor of the State of Texas.

Whereas, by a Joint Resolution passed by the Legislature of the State of Texas, and approved the 28th day of November A.D. 1855. an election is required to be held in the Counties of Angelina and Cherokee on Thursday the 12th day of December next for the election of a Representative to supply the vacancy occasioned by the death of the Hon Joseph C. Harrison.

The Chief Justices of said Counties, on receipt of the County Commissioners, if necessary, will therefore give due notice and cause polls to be opened at the several precincts of their respective Counties on Thursday the said 12th day of December next, for the election of said Representative - commence the vote on the day succeeding - & at their close give a certificate of election to the person elected, as said Joint Resolution requires, and make returns of said elections as the law requires.

In testimony whereof I have hereunto signed my name, and caused the Great Seal of the State to be affixed.

At the City of Austin, this thirty-[illegible] day of November A.D. 1857. and of the Independence of Texas the Twenty-seventh year.

E M Pease

By the Governor:

Edward Clark

Secretary of State.

The Sheriffs are requested to publish the Chief Justices of the several Counties in Cherokee County.

The State of [illegible]

Whereas, it has been certified to me, according to law, that there is no contempt of Court for the hearing and adjudication of the case No. 278. [illegible] Court of Winfield Roupe, [illegible] against the Supreme Court of this State, at the [illegible] term, in [illegible] of the Hon. John Hamilton [illegible] designated, now sitting here.

Now, therefore, I [illegible] the [illegible] defendants [illegible] Supreme Court [illegible] State, [illegible] the [illegible] of the Constitution and laws of said State do hereby [illegible] the same.

[illegible] the Great Seal of the State of [illegible] this [illegible] day of [illegible] in the year [illegible] and of the [illegible] year of the [illegible] State of Kansas.

Edward Clark
Secretary of State

E. M. Ruse

[illegible] Secretary of State.

[illegible] Attorney General, [illegible] Special Commissioner [illegible] Supreme Court.

Executive Department
Austin, Texas, November 30 1885.

Gentlemen of the Senate,
and House of Representatives.

I have the honor to transmit herewith for your action a Report from the Auditor and Comptroller of Public Accounts, exhibiting the amounts, character and classification of the claims filed and accepted for by them since their report of the 12th November 1885.

Your attention is particularly called to the recommendations contained in this report, in which I fully concur.

E M Pease

Executive Department
Austin, Texas, November 30. 1885.

Gentlemen of the Senate,
and House of Representatives.

I send you herewith the Annual Reports of the State Treasurer for the year ending August 1885.

And also the Biennial report of the Comptroller of Public Accounts for the years 1884 and 1885.

These reports contain much valuable information in regard to the pecuniary condition of the State, and many recommendations worthy of your careful consideration.

E M Pease

Executive Department
Austin, Texas, November 27 1895

Gentlemen of the Senate,
and House of Representatives

I herewith transmit herewith a memorial from E. H. Cook, one of the commissioners appointed under the provisions of the act to provide for the multiplication of land titles in certain counties therein mentioned" approved February 11 1892.

It appears from the report that Mr Cook, while from accident, prevented from the performance of his duties, no fault of his own, for two years, a cripple on crutches, suffering from sciatica, the loss of his family by murder and five hundred dollars in an effort to prove a defense that could not be made.

I think it is a case that ought to appeal to the sympathy of the humane and generous, and recommend that provision be made for payment.

E. M. Pease

J. Silas Fish

Petition filed Fisher is imprisoned in the State Penitentiary under a sentence of death for the murder of his mother in the first degree, and whereas, said petitioner has the fourteenth amendment requests the pardon of said Fisher as intercession is believed that he is innocent and a proper object for Executive clemency. Therefore by virtue of the authority vested in me by the act for the relief of Attorney Fisher" approved the 30th day of November eighteen hundred and fifty four. I, E. M. Pease, Governor of said State do hereby commute the sentence and punishment of said Silas Fisher, to imprisonment for life in the State penitentiary, instead of death by hanging, and the Sheriff of Travis County is hereby required to deliver said Silas Fisher to the State Penitentiary

at Pontiac on a detainer under Superintendent's Warrant, who is required to receive said Prisoner and keep him in the Penitentiary for life in the same manner as if the said Prisoner had originally been sentenced by the District Court of Peoria County to be imprisoned for life in said Penitentiary.

Seal

Done in Council under my hand and the great Seal of the State of Illinois at the City of Springfield this twelfth day of December in the year of our Lord one thousand eight hundred and fifty three and of the Independence of Illinois the twenty eighth

By the Governor

Edward Clark,
Secretary of State

A L Rose

Executive Department
Springfield December 12th 1853.

To the Honorable
the General Assembly.

I have the honor to
transmit herewith an
appeal bond, approved by the Supreme Court, to
perfect an appeal in the case of the Library of said Court.

I am aware of the necessity that there may be
some other and other provisions made, at such place
where the Supreme Court may direct, for their preservation,
and some person ought to be appointed at such place of the
delivery of the Court whose duty it should be to receive
books, papers and other property therein.

I would also call your attention to the report that the Commissioners
appointed by the last Legislature, for revising the Statutes
have prepared a bill for the purpose of revising the Statutes
for the consideration of the approaching Legislature
and I think it should be performed, and I recommend
an appropriation be made for the consideration
of this important subject by the Commissioners.

I would also recommend a bill be passed
appropriating out of the State Treasury a sufficient sum
to pay the expenses of the Commissioners
in the performance of their duties.

A L Rose

Legislative Resolutions
Twelfth Legislature 1858

To the Honorable
the Senate and House of Representatives
of the State of Michigan

[illegible]

E. W. Ruse

The State of Texas.

Whereas, it has been certified to me by the Supreme Court of this State, that there is no competent Court to try the causes No. 183 of Chambers vs Allgower et al; No. 184 of Chambers vs Fisk, and No 185 of Chambers vs Fisk et al now pending in said Supreme Court at Austin, because the Hon: John Hemphill and the Hon: H. P. Lipscomb have disclaimed to sit in said causes:

Now, therefore, to the ends that a trial and determination of said causes may be had, I, E. M. Pease, Governor of the State of Texas, by the virtue of the power in me vested by the Constitution and laws of said State do hereby appoint and Commission James Willie Esq. a person learned in the law, as a special Judge to try and dispose of said causes, and determine the same.

Given under my hand and the Great Seal of the State, at the City of Austin, this the twelfth day of March A.D. 1873 and of the Independence of Texas the seventy ninth year.

(Seal)

E M Pease

By the Governor
Edward Clark
Secretary of State.

N.B. Commissions in the same cases, similar to the above were issued to Hon. Rufus Ellis & Hon. Thos. Ewing respectively.

Proclamation
By the Governor of the State of Texas.

[illegible]

[illegible]

[illegible]

E. D. Pease

Edward Clark
[illegible]

[illegible]

Executive Department
Austin, December 10th 1850.

To the Executive Authority
of the State of Arkansas.

Whereas, It appears by the annexed document, which is hereby vouched to be authentic, that Johnson Crocker stands charged with the Crime of Murder, committed in the State of Texas, and upon information, having reason to be, that the said Johnson Crocker has fled from justice, and taken refuge in the State of Arkansas.

Therefore, I, E. M. Pease, Governor of the State of Texas, have thought proper to demand, in pursuance of the provisions of the Constitution and laws of the United States, the surrender of the said Johnson Crocker, an fugitive from justice, and that he be delivered to Charles A. Hamlin, or a person appointed to receive him, on the part of the State of Texas.

In witness whereof, I have hereunto set my hand and affixed the Great Seal of the State of Texas, at the City of Austin, this the 10th day of December A.D. one thousand eight hundred and fifty-five, and of the Independence of the United States, the Seventieth, and of Texas the twenty-fifth year.

E M Pease

By the Governor
Edward Clark
Secretary of State.

The State of Texas.

Whereas, It has been certified to me according to law, that there is [illegible] Court for the trial and adjudication of the case [illegible] Winfield, now pending before the Supreme Court of the State, at the City of Austin, in consequence of the Hons: Jno. Hemphill [illegible] being disqualified [illegible]

Now, Therefore, [illegible] [illegible]

[illegible]

[illegible] State [illegible]

George [illegible] Esq. [illegible]

[illegible]

[illegible]

[illegible]

[illegible] the Great

Seal of the State [illegible]

[illegible] the [illegible]

[illegible] of the [illegible]

[illegible] State [illegible]

[illegible] the [illegible]

E M Pease

By the Governor

Edward Clark

Secretary of State

Executive Department,
Austin, December 18th 1855.

Gentlemen of the Senate
and House of Representatives.

I return herewith to the House of Representatives in which it originated, "An act supplementary to an act entitled an act to incorporate the town of Lin Prairie in the County of Fayette."

The first section of this act authorizes the Mayor to appoint a commissioner without a jury, and witnesses against the decisions of the Council, and to assess the fine, when the same is not sufficiently imposed by the laws.

This section seems to conflict with the 19th section of Article 1 of the Constitution of the State, which declares that "in all cases where juries of the peace, or other judicial officers of inferior tribunals shall have jurisdiction in the trial of causes, when the penalty for the violation of the laws is fine or imprisonment, except in cases of intoxication, the accused shall have the right of trial by jury."

For this reason I feel constrained to withhold my approval from the act.

Ed Pease

Executive Department,
Austin, Texas Nov 1st 1855.

Thomas J. Jennings Esq.
Speaker of Senate.

Sir:

The act has passed both Houses of the Legislature, and has been presented to me for approval, and is entitled "An act to pay the salaries of the Governor." The first section of which provides "that from and after the passage of this act, the annual salaries of the Governor of the State of Texas, shall be three thousand dollars" The second section provides, "that this act shall take effect from and after its passage." Will you oblige me by examining the bill to be satisfied and give me your views, and give me your opinion whether it is constitutional.

Yours with respect,

Ed Pease

Attorney General's Office
Olympia, December 1st 1850.

To His Excellency, C. H. Mason
Governor

Sir:

I have received your note of 28th ultimo, with the opinions of the Judges herein, of even date with the "Act to pay the salary of the Governor", the original of which is referred to in said note, and which you state "has been lost, they having, on Friday the 6th instant, the same at Dale's, on the Governor's bill, and should be there if not found" [illegible] "a second copy" [illegible] "after the recess".

In the opinion of the Judges, there is no question of power as to repeal or alter, and in the passage of the Act, the Legislature, by implication, [illegible] the Act, [illegible] the Governor, [illegible] that by a letter [illegible] to be given [illegible] to be [illegible] for [illegible] per year, [illegible] the [illegible] per year, [illegible] the 5th Dec. 5th Article of the Constitution. It has been thought this interpretation would be correct, on good public grounds, [illegible] -lature. It will be the main of constitutional [illegible] to presume that the Legislature has [illegible] -tions [illegible] and [illegible] reference, and in consequence [illegible], and ignore the contrary conclusions in a particular instance, can, with propriety, be [illegible] the main of implied must be prevented. It is [illegible] permanent, not [illegible] [illegible] that it, permanently [illegible] the salary "of the Governor of the State of Oregon" a local Entity, who like the King of England never dies, and certainly not, of the fourth incumbent of the Executive Chair, whose term was just about to expire, and of whose incapacity to receive the "increase" of his salary it would be doing great violence to the intelligence of the Legislature to suppose they were ignorant, and to their integrity to conclude that they intended to deny a grant it, and thereby deliberately infringe the Constitution

tion. It is for more just to indulge the presumption that in "fixing" the Salary of the "Governor" they were not commanded, that the present incumbent, owing to the Constitution of Barrier Forces, who has deserted, would in no degree be affected by the change they were making in the amount, and therefore our only legitimate conclusion must be that the Bill has no reference to him, for that was already "fixed" by the Constitution in provisions against their power to diminish or control. But it may be urged that the 2d Section of the Bill, in giving immediate effect to the Act, fastens upon it the intention to increase the compensation of the present incumbent beyond any change of salary. If this objection be not already answered in the foregoing remarks of the Bill, it may readily be done. No mode of legislation is more common and considered less liable to constitutional impeachment than that which seeks to give into immediate effect, provisions which cannot, from their terms and nature, go into operation until a future time, and sometimes a remote time, such as to provide that a Court shall be holden, or a contract be made in a certain public year, or any other act be done, at a future day. Thus the Bill becomes a law immediately by its terms, the legislative mandate with of the law and by power - or it gives to the nature of its subsequent operations till a future day. Whenever it does go into effect or becomes a law, but whether it has or not depends upon the character of its provisions, considered in reference to each other and the fundamental rules of the Constitution. If this Bill shall receive the approval of your Excellency, it will become immediately, according to the phraseology of the 2d Sec. a law, fixing the salary of the Governor, but, under the Constitution, it will not take effect, till a further period, when the present incumbent, by resignation or other cause, shall be no longer in office.

The same constitution the same Act would be operative regarding the salaries of the Judges in Superior and Inferior Courts. It might be constitutionally fixed to go into effect immediately, but could not operate upon or in any way affect the salaries of the present incumbents.

I am therefore of opinion that there is no Constitutional objection to the approval of the Bill referred to.

I remain very respectfully
Your Excellency's Obt. Servt.
Thomas F. Gilmer
Attorney General

(Signed)

Proclamation!

By the Governor of the State of Texas

Whereas the Legislature has passed an Act which was approved on the 15th day of December 1855, to create the 16th Judicial District, composed of the Counties of Collin, Grayson, Cooke and Denton, Hiram Parker, Farrar, Hiram Collins and Lemuel Cooke have been duly appointed by the Senate of the State of Texas as District Judge, District Attorney and District Clerk respectively for said District, to the great loss of Texas and Texas.

Now therefore, I E. M. Pease, Governor of said State, do hereby proclaim and declare that the Chief Justices of the Peace for said Judicial District, in accordance with the provisions of the act aforesaid, shall be and hereby are authorized to order an election to be held at the several places of their respective Counties, on the second Saturday in February, A.D. 1856, for the purpose of electing a District Judge, District Attorney and District Clerk for said District. Said notice shall be published at least ten days, in one newspaper published in the County of Collin, which State is hereby ordered to be published at the seat of Government, directed to "the Secretary of State" as "notice" of the election of County, District Judge and District Attorney of the 16th Judicial District," and the other deposited in the Office of the County Clerk.

Seal.

In testimony whereof I have hereunto signed my name, and caused the great seal of the State to be affixed, at the City of Austin, this ninth day of December A.D. 1855.

E M Pease

By the Governor

Edward Clark

Secretary of State.

Proclamation

By the Governor of Texas.

Whereas, Chief Justices of Cass and Titus Counties, respectively, have certified to Commissioners if necessary, are hereby ordered and directed to give due notice, and cause polls to be opened at the precincts of their respective Counties on the 1st day of January A.D. 1856, for the election of a Representative in the Legislature, for the 14th Representative District composed of said Cass and Titus Counties to fill the vacancy caused by the resignation of Hiram S. Gray. The said Chief Justices or Commissioners, will cause the returns of said election to be made to them on the day after said election, and the Chief Justice of Titus County, will within three days after receipt of said returns, make a return of the vote of his County to the Chief Justice of Cass County, who will then and there, on the day after said election, make up and issue the certificate of Election for said Representative, and a certificate of election to the person elected. A transcript of said election will also be made to the Secretary of State, and a copy to County Clerks Office as directed by law.

Given under my hand, & the seal of State, at Austin, this the 30th day of December A.D. 1855.

Ed Pease

By the Governor

Edward Clark

Secretary of State.

Executive Department,
Austin, December 21st 1855.

Gentlemen of the Senate,
and House of Representatives, and
fellow citizens:

The proof of the confidence of my fellow citizens, manifested by my re-election to this important office, fills me with emotions of gratitude which I find it difficult to express.

I enter upon my duties with a determination to use my best efforts in their service, with a firm confidence that they will justly appreciate my motives, and that my public acts will be viewed with that indulgence which I have hitherto received at their hands.

Having a month ago communicated to you the condition of the Government, and recommended for your consideration such measures as I thought expedient, I shall not detain you, at this time, with any thing further on these subjects.

I feel, however, that the occasion is not an improper one, in adverting to some topics upon political subjects, since we take our stand for State officers in this first Year of our second century upon political science alone.

The sages of the revolution adopted the policy of encouraging immigration, and the wisdom that dictated legislation which was passed at an early day, which enabled immigrants, within a short period after their settlement to obtain all the privileges of original citizens. The policy of their successors has been equally liberal to the inhabitants of their adoption, which have been given to them, incorporated into the Union by Treaty and by Annexation.

Texas great and good men also adopted the policy of receiving all persons of religious sentiments and character free. They rightly hoped, when they exempted the rights of conscience, that the principles of religion, forbearance, and toleration, that they so eminently possessed, would prove their, and their, and their religious sentiments under which the people of other countries had so long suffered and bled.

By a fixed adherence to these wise and liberal principles, which have been repeated, legislated, the people of these other countries, the Germans, Scandinavians, Swiss, and many other nations, have come to Texas, and have become citizens, and have contributed to the prosperity of our country, as well as to the wealth and power of our country.

the rights and influence of the people, and restricted the the powers of Government, which are to prevent the ambition spectacle of thirty millions of freemen whose Government deriving all its powers from their own consent, and ... [illegible] to solely with the purposes of [illegible] their happiness and prosperity.

It has been [illegible] to discover danger [illegible] the operation of [illegible] attended [illegible] the hands of the [illegible]

The [illegible] of the [illegible] have ... [illegible] upon [illegible] or [illegible] [illegible] that [illegible] the property of the Citizens of the other States [illegible]

The [illegible] precedent [illegible] States [illegible] Government [illegible] [illegible] altering [illegible] [illegible] of Congress, [illegible] peace and [illegible]

I trust however that the good sense of the people of every part of our [illegible] emergencies, [illegible] hopes of the [illegible] freedom to [illegible] [illegible] [illegible] upon which rest the hopes of the [illegible] throughout the world.

It is my ardent desire that the [illegible] of present divisions may redound to the welfare of our common constituents, and that our favored country may continue to receive the superintending care of the author of the Universe upon whose will alone the destinies of States and Nations depend.

E M Pease

Executive Department
Austin, Texas, December 18, 1865.

Col John B. Giles.

Sir:

Referring to your communication of the 15th inst. I appoint you Inspector to carry into effect the Act authorizing appropriation to pay the expenses of Volunteers called into service of the State, for the protection of the frontier, and for other Volunteer Service", approved 1st December 1865. The Volunteers attached to our this Act are the Companies of Capt J. H. Cattlehan, Capt Houston and Capt Hardy.

In the disposition of this Act, you will be not only the trust and security of the State of Texas, in the sum of twenty-five thousand dollars, for the faithful performance of your duties under this act.

The rolls returned to the Comptroller from Kerr County are made the requisite authority under date of the 7th and 8th days of December 1865 and the following days of December, previous to which detailed instructions will be issued to you.

Any communication on the subject will be addressed to the Comptroller, but as the service is one that will greatly benefit our frontier citizens and friends, I trust you will render it your earliest attention.

Yours very respectfully,
E M Pease

E. W. Ruse

Executive Department
Austin, January 8th 1856.

Gentlemen of the Senate,
and House of Representatives.

I transmit herewith the Muster-rolls of three Spy Companies of Mounted Volunteers, one Commanded by William Cox, which was in service on the frontier from the 10th of October to the 11th of November 1855 and the other commanded by W. J. Cabin, which served on the frontier from the 10th of October to the 10th of November 1855. The other Commanded by Vivé Conklin whose precise term of service is not known to me.

These Companies were voluntarily organized and stationed by the Citizens of the frontier, for their defence during the past Fall, while they were suffering from the outrages of hostile Indians, there being no mounted troops of the United States near enough to afford them any protection.

Some parties of the last named Company had several encounters with and killed many of the Indian Depredators, and all of the Companies were in active service at a time when the frontier settlements were nearly broken up by the aggressions of the Indians, and contributed to restore peace and confidence to these settlements.

I think it but an act of justice that they should receive from the State a reasonable compensation for their services and expenses, and therefore submit the matter to your consideration with the hope that you will make suitable provision for their payment.

The circumstances under which these Companies were organized and the services they rendered are well known to Messrs Richards and McCullough of the Senate and the Speaker and members of the House of Representatives, to whom reference is made for information on these points.

E M Pease

The State of Texas

[illegible]

Edward Clark
Secretary of State

Ell Rose

The State of Texas

Travis County } I, Edward Clark do solemnly swear that I will faithfully and impartially discharge and perform, all the duties incumbent on me as Secretary of State, of the State of Texas, according to the best of my abilities and skill, agreeably to the Constitution and laws of the United States and of the State: and I do further solemnly swear, that since the adoption of this Constitution by the Congress of the United States, I, being a citizen of this State, have not fought a duel with deadly weapons, within this State nor out of it, nor have I sent or accepted a challenge to fight a duel with deadly weapons, nor have I aided or assisted any person thereby offending — so help me God.

Sworn to and subscribed
before me this the
day of December 1858.
Sig. W. Abner S. Lipscomb
Justice of the Supreme Court

Edward Clark

The State of Texas,

[illegible]

Edward Clark
Secretary of State

Ed Pease

The State of Texas

Whereas it has been made known to me by H. G. H. Samuels, a Deputy Sheriff of Harper County, that David C. Cowan and Sidney Cowan residents of said County refuse to obey said process authority to the said process issued from the District Courts of said County, and he the said Samuels is unable to obtain in the immediate vicinity of the residence of said Cowans and bystanders to enable him to execute said process.

Now therefore, I, Elisha Pease Governor of said State by virtue of the authority vested in me by the laws and Constitution thereof do issue this Proclamation commanding and requiring all good citizens of said State to aid and assist in the execution of the laws in pursuance of said Process and Court in obedience to the requirements of the law.

In testimony whereof I have hereunto signed my name and caused the great Seal of the State to be affixed at the City of Austin this the eighth day of December A.D. 1856. and of the Independence of Texas the twenty-eighth year.

Elisha Pease

By the Governor
Edward Clark
Secretary of State

[illegible]

[illegible]

Edward Clark
Secretary of State.

Ebl Pease

Department of State
Austin, January 15 1856.

On this the 15th day of January 1856. Edw.d Clark Secretary of State, in the presence of Geo. W. Paul Governor and Thomas C. Jennings Attorney General proceeded to open and count the returns made to this office, according to law, of an election held in the several counties composing the 12th Judicial District on the 2d Tuesday of October 1855, for an Judge for said District; when the following was found to be the result of said votes.

For District Judge Edw.d J. Davis received 97 votes.

Edward Clark
G W Paul

The State of Texas.
Executive Department

I, G. W. Paul Governor of said State, do hereby certify that from the representations of the returns according to law in the Secretary's office of the votes cast for Judge of the District Court of the twelfth Judicial District of said State, at an election held on the eighth day of October 1855, in the several counties composing said District, it appears that Edward J. Davis received the highest number of votes given for said office, and I do hereby declare that said Edw.d J. Davis has been duly elected to said office.

In testimony whereof I have hereunto caused the seal of the State to be affixed at the City of Austin this 15th day of January A.D. 1856, and of the Independence of Texas the twenty ninth year.

G W Paul

Seal of State

Edward Clark
Secretary of State.

Proclamation

By the Governor of the State of Texas

Whereas, a vacancy has occurred in the Legislature of this State, declared that the regular day of the election for a Judge of the Fifth Judicial District should be held on the 3rd day of December, 1866, and proclaiming the same, on the 14th day of February, 1866, which was the fifth day after the election, in pursuance of the law, that the returns from said Counties should be found at the Seat of Government on the first Monday after the election. And whereas, it is represented to the Judge of the District Court composing said District, that the place of holding Court in said District, has become vacant or unable to act, the same being of the County of Cass, which County is left out of said District, and the returns from the County of Cass could not be made in time, on the fifth day after said election, as required by the laws governing said election, and which should be made to the Secretary of State

In testimony whereof, I have hereunto set my hand, and caused the Great Seal of the State to be affixed at the City of Austin this the Fourteenth day of January, A.D. 1866, and of the Independence of Texas the Forty Fifth year.

A. J. Pease

By the Governor

Edward Clark

Secretary of State

Secretary's Department
Austin, January 7th 1856.

To the Senate
and House of Representatives.

I transmit herewith for your information a report from the Attorney General, Comptroller of Public Accounts and Secretary of State, in their capacity as Commissioners, under an act passed by the last Legislature, and approved February 11th 1854 entitled "An act supplemental to an act entitled an act concerning the archives of the Legislature approved February 4th 1853".

An examination of this report will show that the recording of the Senate Journals has been completed and approved by the Commissioners, but that no portion of the House Journals has yet been presented to them for their examination and approval. It is hoped, that your honorable bodies to decide what further measures are necessary to insure the completion of this work.

E M Pease

Secretary's Department
Austin, Jan. 19th 1856.

To the Senate
and House of Representatives.

I have the honor to transmit herewith the report of a Committee of your Honorable Body, requesting information whether the Journals of your respective Houses are in condition for the Secretary of State to furnish copies of the Orders of Commencement concerning the passage by the 14th Legislature of certain Private Acts, mentioned in the 4th Section of "Joint Resolution relative to the Public Debt", and of the Public Resolutions and Joint Resolutions, that have passed the present Legislature.

In regard to such Resolutions or Joint Resolutions as shall be found necessary, and have been made by the Committee, are particularly pertinent to the duties of Commissioners.

I received in July last, from the Governor of the State of Massachusetts a copy of certain Resolutions of the Legislature of that State in relation to the Territory of Kansas and I have received at different times during the last [illegible] Resolutions of the Legislature of Ohio and other States of the Union in relation to the Kansas and Nebraska bill of Congress, [illegible] all of which [illegible] of the State [illegible] [illegible] by the [illegible] of your [illegible] [illegible].

I [illegible] of Indian [illegible] [illegible] [illegible] [illegible].

Ell Pease

Executive Department
Springfield, Jan. 13 1846.

To the Honorable
the Senate and House of Representatives

I have the honor to transmit a printed report from the Commissioners appointed to revise and amend the Civil and Criminal Codes of this State.

This report is based on Dwight's Revised Code, and by a report of the Commissioners explains the changes which it makes in our former laws, and of the principles which guided them in the preparation.

I have given the Code a careful examination and have no hesitation in recommending it for your adoption.

Five hundred copies of the Report and Code have been printed, which are subject to the disposition of the two Houses.

The revision of the General Statutes, including Corporation Laws as amended will be sent in.

Ell Pease

Executive Department
Austin January 10th 1856.

Gentlemen of the Senate
and House of Representatives:

I return herewith to the House of Representatives "An Act to permit certain persons of color named, claiming to have been the property of Gabriel Rivers late of Alabama, to remain in the County of Harrison State of Texas, for two years after the suit now pending in said County to establish their freedom shall have been decided"

It has been the policy of Texas since the commencement of her revolution to prevent free Negroes and mulattoes coming here to reside, the General Council of the provisional Government on the 5th of January 1836, passed an ordinance to prevent this, in pursuance of instructions, which provided that if they should come within the limits of Texas after that date, they should be sold as slaves, and imposed a fine of five thousand dollars upon any person who should import, or bring or aid or abet in bringing or importing any free Negro or mulattoe within the limits of Texas.

In the seventeenth of March in the same year, the Constitution of the Republic was adopted, which declared, in the twelfth section of its General provisions, that no slave holder should be allowed to manumit a slave, without the consent of Congress, unless his humane services should slave within the limits of the Republic, and also that no free person of African descent should be permitted to reside permanently in the Republic without the consent of Congress.

Shortly after on the 5th of January 1837 the Congress passed a law prohibiting all free Africans or descendants of Africans and mulattoes from entering the State of the declaration of independence, to remain there.

On the 5th of February 1840 another act was passed prohibiting such persons from coming into the State, and persons being brought here, or persuaded to come, should be sold for one year, and the proceeds of their sale paid into the State treasury, with a penalty on the master for the recovery of the slave, and authorizing the Attorney General to institute proceedings against the parties, and to have the slave sold as a slave

[illegible] the same act provided that after the first day of [illegible] color there in the Republic should be allowed two years to remove out of it, and that all children born after that time, without [illegible] should be free [illegible] and not apprentices [illegible].

As the bill [illegible] permitting certain [illegible] to reside in the Republic [illegible] for those who [illegible] to remain there.

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] State, [illegible] Mulone and should be abandoned, [illegible] shows that their intercourse with Slaves, [illegible] corruption and mutual demoralization, [illegible] might by all means be avoided.

Free States have long complained of free Negroes, and the appearance of other Slaveholding States which are now stifling, these will that are inseparable from a large population of their character, mingling with their Slaves, [illegible] to aid the removal of the admonished evil to put into their increase amongst us, by legislation.

It may be said, that as the act emancipating the Negroes is to take place for two years, after which provisions shall have been established, it cannot therefore do any great harm, but I fear, at the expiration of that time, the fact, that they have been allowed to

remain here for two years, will be urged as a reason for their longer stay, and that they may ultimately obtain franchises to reside here permanently.

Entertaining these views, I cannot approve this act and therefore return it to the House of Representatives in which it originated for reconsideration.

Ed Pease

Executive Department
Austin, January 18. 1856.

To the Senate of the State
and House of Representatives:

I return herewith to the Senate the bill which it originated, "An Act amending and supplemental to an act to incorporate the Galveston and Brazoria Rail-Road" the Charter for which was granted on the 10th day of February 1852, and authorizes the construction of a Rail-Road from the Town of Anderson in Grimes County through Grimes and Brazoria Counties to Brazoria, the road to be completed within two years, and if not completed in that time, the Charter was to be null, the company was to have right thereafter to persue in the ordinary courts.

On the 5th of January 1854 this Charter was amended, and the Company was authorized to construct the road, commencing at Galveston City or near side of Galveston Bay, thence running (not farther west of Sabine Pass on Galveston Bay) thence through the County of Brazoria to Brazoria - thence through the County of Brazoria to the County of Anderson in Grimes County, by such route as the Company may deem most advisable, the road to be commenced within two years from the 5th of January 1854, and twenty-five miles to be completed within three years.

The powers granted by this Charter are similar to those granted to all the other Rail-Road Charters of the State with the exception of that of the Buffalo Bayou and Pacific Rail-Road. It can hardly be for reasons requiring the payment of any portion of its

Stock pursuant to the organization of the Company, as far as I am able to learn, no work has ever been done by this Company, and I cannot learn that any part of its Capital Stock has ever been paid in, & it is certain, that no report of its organization or of its pro-ceedings, Capital Stock &c has ever been made, as required by our general Rail Road law.

This act [illegible] purports to change the corporate name of the Company, and [illegible] the [illegible] of the [illegible] to [illegible] the [illegible] Road and Tapas[?] [illegible] done in [illegible] 30th of January 185[?] [illegible] lands to the Company for a period of one year from this time, [illegible] the Company [illegible] other rights and privileges, but no [illegible] responsibilities [illegible] upon the Stockholders beyond what [illegible] [illegible] of the Company [illegible] State.

The approval of [illegible] would [illegible] commit the State, at least [illegible] of [illegible] [illegible] Rail Road [illegible] [illegible] may apply [illegible] although [illegible] [illegible] part of the [illegible] [illegible] heretofore granted.

It is now generally [illegible] throughout the State, that our legislation in regard to Rail Road charters has been hasty and improper. [illegible] been granted [illegible] for [illegible], with large and undefined privileges and powers, without imposing any responsibility whatever upon the Stockholders, and [illegible] used by the Corporations for purposes of private specula-tion, without any regard to the [illegible] of three divisions of the State is [illegible] suffici-ent to complete, what has heretofore been done under Charters with powers and privileges [illegible], may continue to be done, and it is our duty to remedy this evil, so far as it can be done.

I think the public interest demands a reform in our legislation in regard to Rail Road Charters; of these [illegible] to

subscribe and pay for Stock, they have no just claim for them, and it is an idle and useless business to grant them. The House has carried where we should adopt a sound and healthy system in regard to corporations, their powers and privileges should be limited and accurately defined; they should no longer be allowed to organize without capital, such restrictions and responsibilities should be imposed on the Stockholders as will protect the rights of the public and guard individuals dealing with them from imposition.

In a Communication sent to you, at an early period of your session, I stated that I was unwilling that any more Charters should be granted to individuals for their own benefit if such Charters were necessary, such routes should be selected as the wants and business of the Country required. The time of commencement and termination should be designated, and Charters should be granted to Commissioners, who should be required to open books for the subscription of Stock, after giving public notice, no subscription should be received, unless five per Cent thereof, was paid at the time of Subscribing, and whenever the per Centage on the Capital Stock subscribed should amount to one hundred thousand dollars, the Commissioners should be authorized to call a meeting of the subscribers and hold an election for officers, after which the subscribers should become a Corporation, with all such powers as are set forth in the Charter. The Commissioners should have no right under the Charter, except as trustees, for the benefit of the subscribers, unless they organize and become a Corporation, and should be limited in time only for necessary subscriptions of Stock, and the payment of five per Cent thereof as aforesaid. The Corporation thus organized should have authority from time to time to receive further subscriptions to its Capital Stock, to the full amount thereof, after giving public notice, the subscribers in all cases paying, per Cent of their Stock at the time of subscribing.

I have seen no reason to change these opinions, as the evidence, subsequently published, has greatly strengthened them, and these opinions with great pleasure the extension of the Charters of those Companies, which have not commenced work, and which no evidence shows that they have any Capital Stock subscribed and paid in.

The resolutions introduced are by no means objectionable, and it is not certain that a Company which cannot procure of each one hundred thousand (

doesn't he commence with, ca. near obtain ready, or build a Railroad of the length contemplated in eighteen months.

These considerations have induced me to withhold my approval from this bill and to submit it to your further consideration.

F. Pierce

[illegible]

F. Pierce

Executive Department
Austin, 22nd January 1856.

To the Senate,
and House of Representatives:

I transmit herewith a communication from James E. Gillett Adjutant General, together with an account in favor of Smith, Nimmo, for services as Clerk in the Adjutant General's Office for five months. It will be seen that the Legislature has stated that the services of this Clerk were actually necessary for the transaction of the business of his Office. These services were rendered nearly a year ago, and it is but just that they should be paid for.

E M Pease

Executive Department
Austin 23d January 1856.

To the Senate
and House of Representatives:

I transmit herewith a communication from the Attorney General to which I respectfully call your attention. He states that as your Legislature will cause the next term of the District Courts of Travis County to conflict with that of the Session of the Supreme Court at Galveston, that it will be impossible for him to attend both of these Courts. There are two suits in favor of the State, pending in the District Court of Travis County, one against Thomas J. Chambers and others, the other against E. C. Ripley, each for the recovery of Texas lands of not less than two nor more than ten leagues each, the claimants having taken out patents for them without the authority of law.

It is needless to say to your honorable bodies that these cases in the District Court, by the transition of the law, cannot be tried, and hence are respectfully be left to attend the Supreme Court, and represent the interest of the State in all cases where the State is a party.

As it will be impossible, for him to be in

attendance on both of these Courts at the same time he suggests that provision be made for the employment of special counsel to represent the State at the trying of the District Court of Galveston County.

I concur fully in his suggestions and recommend that a law be passed authorizing the employment of counsel to represent the State [illegible] [illegible] specially to [illegible] [illegible] provided for [illegible] [illegible]

[illegible]

[illegible] the Order.

[illegible]

Eli Hart

[illegible]

To the Hon.
[illegible]

[illegible]

Hardeman County — [illegible] Hardeman County

[illegible] County — [illegible] Hillsboro [illegible] [illegible] appointed by the Court

Falls County — [illegible] [illegible] [illegible] [illegible] the [illegible] [illegible]
J. E. Bradford vice [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]

Lipscomb County - Daniel C. Richardson

Bosque County - T. C. Alexander, J. S. Helton.
Philip Howard.

Brazoria County - J. W. Cooper vice Wm. C. Hicks deceased.
Robert F. Clements re-appointed.
Peter McGrew re-appointed.

Brazos County - R. P. McMichael

Calhoun County - Edward S. Gibson appointed during the recess of the Senate.
Edward Clegg appointed during the recess of the Senate.
Robert F. Forbes vice W. L. Thomas appointed during the recess of the Senate.
Edmund Fox vice N. Ogden appointed during the recess of the Senate.
Henry A. Jones vice Wm. J. Hawkins appointed during the recess of the Senate.

Carlton County -
Fennel P. McDowel appointed during the recess of the Senate.
James R. Sims, an original appointment

Cherokee County - Francis J. Harrison vice W. W. Triggell resigned.

Cibola County - Don C. Pagne vice C. J. Chavarro resigned as the Senate.

Coryell County - William H. Priddy vice H. H. Wells appointed during the recess of the Senate.
Charles P. Stewart, Edward J. Clymer
Lloyd Converse.

Delta County - James A. Baker - Orlando Bradford

Eastland County - William L. Collier vice James Fleetwood who declined appointed

Fannin County - Thomas R. McCallum

Fayette County - Thomas R. Manifee vice William T. Perry resigned as the Senate.
William J. Swanson vice H. H. Anderson

Fisher County - Joseph Lewis - R. C. Gardner
W. H. Stevens & Wm. Gill Clemens.

Guadalupe County - William P. H. Douglass vice John L.
Twitty elected to the Legislature

Harrison County - William H. Allen vice Cooper Pickett
removed from the county.

Hays County - J. H. J. Allen

Hopkins County - Hezekiah J. Cobb vice David Fisher
James C. Hopkins vice Robert C. Graves
resigned. [illegible]
James Hopkins

Hunt County - [illegible] Hopkins

La Vaca County - William [illegible] vice [illegible] elect James
[illegible] Chief Justice
[illegible]

Lee County - [illegible]

Live Oak County - [illegible]

Matagorda County - [illegible]

McLennan County - [illegible] vice [illegible]
absented during the recess of the Senate.

Medina County - Edward [illegible] - John C. [illegible]

Milam County - [illegible]

Montgomery County - [illegible]

Red River - George [illegible] vice [illegible]
resigned

Refugio County - John [illegible] - [illegible]
[illegible]

Robertson County - John [illegible] George W. [illegible]

Rusk County - Frank [illegible] vice [illegible] removed
from the County
[illegible] vice David Collins resigned

San Jacinto County - George [illegible] - John [illegible]
William [illegible]

Williamson County - P. C. Rounsdale vice [illegible] whose
term has expired.
George W. Farrar.

Washington County - George W. Campbell Vice Wayne Fields.
Robert J. Rutherford vice Edwin Waller.

A M Pease

Executive Department
Austin January 24th 1856.

To the Hon:
The Senate of the State of Texas.

I have appointed the following named persons Directors of the State Penitentiary, to which I respectfully ask your advice and consent, Viz:
Amos S. Porter vice J. McGary resigned.
William M. Harrell re-appointed his term having expired
Henry Randolph vice J. C. Smith removed.

A M Pease

Executive Department
Austin 25th January 1856.

To the Hon:
The Senate of the State of Texas.

I have made the following appointments of Notary Public for Smith County, to which I respectfully ask your advice and consent, Viz:
G. W. Glasscock vice C. A. Wellman resigned by the Senate
Thomas Ingram vice J. Hankins left the County
Hamilton Pickens are required appointments
J. Phillips are required appointments.

A M Pease

Executive Department
Austin, 24th January, 1856.

Gentlemen of the Senate
and House of Representatives.

[illegible] the Senate and House of Representatives [illegible] Sheriff [illegible] Harris [illegible]

[illegible] Comptroller [illegible] account of Jacob [illegible] Sheriff of [illegible] County, for the [illegible] of [illegible] Jonathan Dunlap, [illegible] convicts [illegible] John [illegible] Dallas [illegible] Sum of [illegible] Dollars [illegible] Order [illegible] Other Fees [illegible] the State Treasury [illegible]

The [illegible] Comptroller [illegible] Sheriff [illegible] Report [illegible] of the [illegible] be the [illegible] of the [illegible] [illegible] the [illegible] Superintendent [illegible]

In accounts [illegible] by the Comptroller [illegible] Superintendent and [illegible] the State Treasury [illegible] organization of the Penitentiary [illegible] 11th day of February, 1852, [illegible] of the Penitentiary, [illegible] the Treasurer [illegible] and disbursing agent, [illegible] from the Treasury [illegible] appropriation for the Penitentiary, [illegible] disbursed them [illegible] the expiration of this agent his accounts of this description are paid by him at Huntsville on the certificate of the Superintendent, and no account of them is referred to the Comptroller.

The recommendation is, that these two Sheriffs forward their accounts, for conveying these prisoners to the Superintendent, when they delivered the Prisoners, had them certified by him and paid by the disbursing agent, such is the course required to be pursued under the law.

I have no means of ascertaining whether this was done, but it certainly was the duty of the persons to procure the certificate of the disbursing agent that these accounts were never paid by him before they ask the Legislature to pay them.

When the laws have made ample provision for persons to obtain the payment of their claims against the State, without the interposition of the Legislature, they ought to avail themselves of their provisions, and not be encouraged to come to the Legislature for relief. The Legislature has not the same means here to inquire into the justice of such claims, as the Superintendent has, who knows how many guards accompany the Sheriff, and by seeing the prisoner, can form an estimate what number of guards were necessary; besides the Legislature has not the means here of ascertaining whether the accounts have not previously been paid by those whose duty it was to pay them.

I have proceeded upon the assumption, that these accounts are for the regular and legal compensation of the Sheriffs for conveying those Prisoners to the Penitentiary, and cannot therefore approve the bill, because I have no evidence before me, that they have not been paid by the disbursing agent at Jeffersville whose duty it was to pay them.

If however, these accounts are for extra compensation over and above those fees which the law prescribes in such services performed by Sheriffs, then I feel compelled to withhold my approval from it, because it will be a violation of the fifth section of the fifth article of the Constitution of this State.

The Legislature has as before stated, provided by law what the compensation shall be to Sheriffs for conveying Prisoners to the Penitentiary, and the section of the Constitution referred to, declares that they shall receive no other compensation for any office, agency, service or function, after such service shall have been performed.

The Act in the foregoing terms I do not feel at liberty to approve.

E. W. Rice

The State of Texas

Whereas, [illegible] was convicted of the crime of [illegible] at the Spring Term in the year 1855 of the District Court of [illegible] County [illegible] conviction was affirmed by the Supreme Court of said State [illegible] court [illegible] said [illegible] the State Penitentiary [illegible] now [illegible]

And whereas [illegible] under [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] last [illegible]

Now therefore I, E. M. Pease, Governor of said State [illegible] me by the Constitution [illegible] [illegible] [illegible] said [illegible] the [illegible] of the State Penitentiary [illegible] from all further [illegible]

In testimony whereof, I have [illegible] Seal of State [illegible] at [illegible] the [illegible] day of [illegible] 1856, [illegible] of the Independence of Texas the twentieth year.

Seal

E. M. Pease

By the Governor,
Edward Clark
Secretary of State.

Executive Department,
Austin 28th January 1856.

Gentlemen of the Senate,
and House of Representatives.

I return herewith to the House of Representatives "An Act for the relief of Reindollin Crogan Sheriff of Liberty County",

I learn from the Chairman of the Committee to which the claims were referred, that it is for extra services rendered by the Sheriff in conveying Prisoners from Liberty County to the State Penitentiary.

The act to establish a State Penitentiary approved 12th of January 1848, in the 4th Section thereof, (Paragraph eight article 2.6 & 2) authorizes the Sheriff, in conveying Prisoners to the Penitentiary to employ on his own account a guard of not exceeding two persons except in cases of extreme danger and necessity to be judged of by the superintendent, on the delivery of the Prisoners to the Penitentiary, and also establishes the compensations which shall be allowed to the Sheriff for his own services, for the guard, and for the conveyance and sustenance of the Prisoners, and declares that his compensation shall be paid out of the appropriation for the Penitentiary upon his certificate of the Superintendent.

From the correspondence of the Penitentiary up to the 6th day of February 1852, all accounts of this description were paid at the State Treasury on the certificate of the Superintendent.

On the 16th day of February 1852, a law was passed authorizing the Directors of the Penitentiary to appoint a guard and discharging agent who was required to draw from the Treasury the appropriation for the Penitentiary and disburse the same according to law. Since that time all accounts of Sheriffs for conveying Prisoners have been paid by this discharging agent at Huntsville, on the certificates of the Superintendent.

It will be seen therefore, that the law having vested the selection of proper guards, ought to be confined to the Sheriffs, conveying Prisoners to the Penitentiary to the decision of the Superintendent therefor, who should determine the Prisoners upon whom they are delivered, and authority established, uniformity of

opinion I have arrived were really necessary; and that it has also made ample provision for the payment of the claims of Sheriffs for such services, without any necessity for applying to the Legislature.

In all cases where the [illegible] made under the provision sufficient to obtain the payment of their claims against the State appropriation of [illegible], to the [illegible] allowed.

In case [illegible] kept at Huntsville, [illegible] of [illegible] [illegible] have been [illegible] ascertained [illegible] how many guards were really necessary.

In [illegible] I [illegible] the allowance [illegible] would be in violation of [illegible] of the State Constitution [illegible] the Legislature shall provide [illegible] for the payment of all officers, servants [illegible] and public contractors not provided for by the Constitution [illegible] shall not grant extra compensation to any officer, agent, servant or public contractor, after such public service shall have been performed or contract entered into for the performance of the same."

In [illegible] as provided by law, [illegible] [illegible] who shall [illegible] guards were necessary. The [illegible] of [illegible] Sheriff compensation [illegible] which is established by law, [illegible] [illegible] the [illegible] [illegible] [illegible] a receipt therefor.

The amount of this claim is small but the principle involved in ~~its~~ its allowance is [illegible] and I have therefore [illegible] to return the bill for reconsideration.

E M Pease

Proclamation

By the Governor of the State of Texas.

Whereas, a vacancy exists in the office of District Attorney of the twelfth Judicial District, composed of the Counties of Kinney, Webb, Starr, Hidalgo and Cameron.

Now therefore, I, E. M. Pease Governor of said State, do, by virtue of the authority vested in me by law, hereby order and direct that an election be held in the several Counties of said District, on Monday the third day of March A.D. 1856, for a District Attorney for said Judicial District. The Chief Justices of the several Counties of said District, or any two of the County Commissioners, will therefore give notice and cause polls to be opened at the precincts of their respective Counties for the election of the District Attorney, on the said 3rd day of March 1856. They will make duplicate returns of said elections, carefully sealed up, one of which must be transmitted to the Seat of Government, addressed to "The Secretary of State," and endorsed, "election returns of County for District Attorney of the twelfth Judicial District" and the other deposited in the Office of the Clerk of the County Court.

In testimony whereof, I have hereunto affixed my signature, and caused the Great Seal of the State to be affixed, at the City of Austin, this the twenty-eighth day of January A.D. 1856, and of the Independence of Texas the twenty-eighth year.

E M Pease

(G. R. C.)

By the Governor

Edward Clark

Secretary of State.

Executive Department
Austin 29th January 1856

To the Hon:
The Senate of the State of Texas.

I have made the following appointments of Brigadier Gallie to [illegible] respectfully ask your advice & consent thereto.

Superior Dist. — [illegible]
[illegible]
[illegible]
[illegible]

Tom Green County Adam [illegible]
Coal [illegible]
Shelby County [illegible]

West of the Cent. — [illegible]

Rusk [illegible] Jacob Spears
who [illegible]
[illegible]

I have [illegible] William [illegible]
[illegible]
per [illegible]
of H. H. [illegible]

E M Pease

Department of State
Austin, January 2nd 1856.

Messrs Marshall & Hubbard
Public Printers
Gentlemen

Allow me to call your attention to the law of December 27th 1851. amending the law regulating the Public Printing, I desire your attention to that part of the law prescribing the rates to be paid for the public printing.

It has been the practice, it seems, to restrict the rates specified in the law to what Printers, as I am informed, call plain work, and to charge double those rates for what is denominated rule and figure work.

I believe it my duty to say to you, that I do not construe the law, and that in paying upon the accounts of the public printer, I shall be governed by the rates prescribed in the law without regard to any distinctions between plain, and rule and figure work as has heretofore been entertained by the Legislature.

I regret that it did not sooner occur to me to bring this subject to your notice.

Very respectfully &c
Edward Clark
Sec of State.

Executive Department
Austin February 12th 1855.

To the Hon:
The Senate of the State of Texas
I have made the following appointments of Justices of the Peace, and respectfully ask your advice and consent, viz:
Brazoria County. Not. Orlando Burrows appointed

Galveston County. Francis Cobb, vice J. T. Burroughs resigned.
H. F. Jones re-appointed
Lavaca County. H. C. Gates, has declined the office to which he was appointed
Leon County. Richard Green vice J. L. Lindsey removed from the County
Charles Prichard vice J. J. Dotter
Joseph L. Carpenter vice Thos. Graves who refused to qualify
Travis County. Thos. A. Gilliam re-appointed

Travis County. Peter Fontaine appointed vice Joseph Rowe resigned
Elias M. Daniel vice J. C. Coffee who has removed

All Prase

Executive Department
Austin February 12th 1855.

Gentlemen of the Senate
and House of Representatives

I have been informed by the Senate, my address of original "A bill to create the County of Cibolo,"

I am informed by the Commissioner of the General Land Office, who has ascertained that the boundaries of the proposed County of Cibolo, include only about six hundred and twenty square miles.

The 24th Section of the 7th article of our state

Constitution, declares explicitly, that no new County shall be laid off of less dimensions, than nine hundred square miles.

This is a wise provision, and was intended without doubt to prevent the creation of small Counties, without sufficient population and resources to secure the proper execution of the criminal laws of the State within limits.

Having evidence before, which is conclusive to my mind, that the proposed County of Cibolo contains an area, less by two hundred and seventy-three square miles, than what the Constitution requires for the formation of a County. I cannot give my assent to this act.

E M Pease

Executive Department.
Austin February 1st 1856.

To the Senate
and House of Representatives.

I have thought it proper to inform you that in case there shall not be sufficient time, before the end of your adjournment on the 4th inst. for me to examine and decide upon the large number of bills that will be presented to me for approval, I have to ask your respect of the right to retain some of them for final action until your adjourned session in July next.

The Constitution of Law, your present working and that of July next, are the only ones, will be our permanent sessions and any bill sent to me for approval after this time and your adjournment, on providing must be presented within five days of this date, the adjourned session excepted of Sunday, must be retained that will, therefore before your adjournment, or provision must be given reassembling the Legislature.

The Attorney General concurs with me in the view of this subject, and I feel sure it will be questioned by any one.

This course suggestion is made to you so that if your bills are sent to me, which on be me before your adjournment, you may be advised that I have not had sufficient time to examine them, and so that if any of them are not approved by me, they will be reserved.

be given for reconsideration at the adjourned session.
If is any information however that I can obtain will be sent to you before a month. If it is possible for me to do so.

Ed L Rose

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

Bienville [illegible]

[illegible]

Claiborne Court [illegible] Appeal [illegible]

Grues County [illegible]
[illegible]
[illegible]
[illegible]
[illegible]

Jefferson County [illegible] are required
[illegible]

Vicks County W. F. Alexander [illegible] appeal [illegible]

Ed L Rose

The State of Texas

Whereas a Proclamation was issued by the Governor of said State on the fifth day of January 1856. offering a reward of two thousand dollars for the arrest and delivery of John Cummings, Charles H. Haley, Augustus F. Hardin alias Black Hardin and John J. Shackelford, to the Sheriff of Travis County, in said State, or a reward of five hundred dollars for the arrest and delivery of either of said persons to said Sheriff. And whereas, I have thought proper to revoke, and supersede said Proclamation. Now therefore, I do by this act revoke, supersede and make null and void the said Proclamation.

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed. at the City of Austin, this the Fourth day of February A.D. 1856. and of the Independence of Texas the Twenty-eighth year.)

By the Governor.

Edward Clark
Secretary of State.

Ell Rusk

Proclamation

By the Governor of the State of Texas

"Whereas Charles H. Haley and Augustus F. Hardin alias Black Hardin stand charged upon affidavit with wilfully and maliciously burning a certain building in Travis County in said State, occupied as an office by the Adjutant General of said State, which said building contained the official papers, records, archives and documents of the said Adjutant General at the time it was burned, on or about the 10th day of October A.D. 1855. and whereas the said parties have fled from justice. Now therefore be it known that I C. A. M. Pease, Governor of said State, by virtue of the authority vested in me by the laws and Constitution thereof, do hereby offer a reward of two thousand dollars for the arrest and detention of the said Haley and Hardin to the Sheriff of Travis County, or a reward of one thousand dollars for the arrest and delivery of either of said persons in the said County."

In testimony whereof, I have hereunto signed my name and affixed the Great Seal of the State to be affixed, at the City of Austin this the Seventh day of February A.D. 1856. and of the Independence of Texas the twenty-second year.

(Seal)

By the Governor.

Edward Clark

Secretary of State.

C. A. Pease

Note - The above Proclamation revoked on this, the Ninth day of September A.D. 1856

See page 554.

Secretary of State.

The State of Texas

To all and singular the Sheriffs, Constables, and Officers of said State — Greeting.

Whereas, it has been represented and made known to me by Rushel T. Johnson, the Governor of the State of Georgia, that Charles Paul late of said State of Georgia stands charged by Affidavit with the offence of Larceny committed in Bibb County in said State of Georgia, and that the said Charles Paul has fled from justice in said State and has taken refuge in the State of Texas — And whereas, the said Governor of the State of Georgia, in pursuance of the Constitution and Laws of the United States, has demanded of me that I cause the said Charles Paul to be arrested and delivered to Charles F. Stubbs, the duly authorized agent, appointed by said Governor of the State of Georgia, to receive said Paul into custody and convey him to the State of Georgia — And Whereas the said representation and demands are accompanied by said affidavits, which is duly certified as authentic by the said Governor of the State of Georgia.

Now therefore, I, A. M. Pease, Governor of the State of Texas, do, by virtue of the authority vested in me by the Constitution and Laws of the State and of the United States, issue this my warrant commanding all Sheriffs Constables and other civil officers of this State to arrest, and to aid and assist in arresting the said Charles Paul, and to deliver him when arrested to the said Charles F. Stubbs, agent of said State of Georgia, in order that he may be taken back to State of Georgia, to be dealt with according to law for said offence of Larceny.

In testimony thereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed.

Given at the City of Austin, this the 15th day of February A.D. 1886, and of the Independence of the United States the Eighteenth, and of Texas the Twenty-sixth year.

G.C.

By the Governor

Edward Clark
Secretary of State.

A M Pease

Department of State
Austin February 28th 1856.

I, Edward Clark, Secretary of State of the State of Texas, do hereby certify that from an examination of the returns made according to law to the Secretary of State of the votes for a Commissioner of the General Land Office of the State of Texas, at an election held in the several Counties of said State for said Officer on the 4th day of August A.D. 1855, it appears that Stephen Crosby received the highest number of votes given for said office.

In testimony whereof I have hereunto signed my name and affixed the Seal of the Department of State this day and year aforesaid.

Edward Clark
Secretary of State

The State of Texas

Whereas John McGovern was convicted of the crime of Burglary at a term of the District Court held in the County of Cameron and State in the year 1851 and was sentenced therefor to be confined in the State Penitentiary for the term of seven years, which he has been in confinement since the 1st day of June A.D. 1851 upwards of five years, and whereas it has been made known to me that said McGovern has been an industrious and obedient convict and that his health is now so bad that it is doubtful whether he will live to serve his term of imprisonment longer. Now therefore I, E. M. Pease Governor of State by virtue of the authority vested in me by the Constitution and laws thereof, do hereby grant to the said McGovern a pardon for said crime, and hereby direct the keeper of the State Penitentiary to discharge him from further confinement therefor.

In testimony whereof I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin this the twenty-ninth day of February A.D. 1856, and of the Independence of Texas, the Twentieth year.

Seal

By the Governor
Edward Clark
Secretary of State.

E M Pease

The State of Texas.

Whereas, on the 14th day of April 1855, a judgment was rendered by the District Court for the County of Caldwell, by which James H. Wells Clerk of said Court was fined in the sum of Fifty dollars for contempt, and whereas such representations have been made to me as to induce the belief, that the said Wells did not intend to show any disrespect to the Court, in the transaction for which he was fined as aforesaid, and that the Judge in imposing said fine acted under a misapprehension in regard to the motives and acts of said Wells.

Now therefore, I E. M. Pease Governor of said State by virtue of the authority vested in me by the Constitution and laws thereof, do hereby remit the said fine and judgment rendered as aforesaid, and discharge the said Wells from all further responsibility by reason of said judgment.

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed, at the City of Austin, this the twenty-ninth day of February A.D. 1856. and of the Independence of Texas the twentieth year.

Seal

By the Governor.
Edward Clark,
Secretary of State.

E M Pease

Proclamation

By the Governor of Texas

Whereas, William Hart, and a Sergeant Forgerty, whose christian name is not known, are charged with having committed a murder upon the body of one Alexander Forgerty in Travis County in this State, on or about the 8th day of January A.D. 1857; and whereas it has been made known to me that the said William Hart and Forgerty have fled from justice.

Now therefore be it known that I, E. M. Pease, Governor of said State do by virtue of the authority vested in me by law, hereby offer a reward of Five Hundred dollars for the apprehension and delivery of Hart and Forgerty, or a reward of Two Hundred and Fifty dollars for the apprehension and delivery of either of said parties, to the Sheriff of Travis County in order that they may be dealt with according to law.

In testimony whereof I have hereunto signed my name and caused the Great Seal of the State to be affixed this the 3rd day of March A.D. 1857, and of the Independence of Texas the twenty-first year.

Seal

By the Governor

Edward Clark
Secretary of State

E M Pease

The "Austin State Gazette" and "San Antonio Ledger" are requested to publish four times.

The State of Texas

Whereas, it has been made known to me that Robert W. Martin stands charged with the crime of Forging and Falsely making and Fraudulently altering a Public Record - Committed in the County of San Augustine in said State, and whereas it has also been made known to me that said Martin has fled from justice: Now therefore, I, E. M. Pease Governor of said State by virtue of the authority vested in me by the laws thereof, do offer a reward of one thousand dollars for the arrest and delivery of said Martin to the Sheriff of said County of San Augustine -

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed, this the Seventh day of March A.D. 1856 and of the Independence of Texas the twenty-fifth year.

By the Governor
Edward Clark
Secretary of State.

E M Pease

Executive Department
Austin Texas, March 7th 1856.

To the Executive authority of
the State of Louisiana -

Whereas it appears by the accompanying documents which are hereby certified to be authentic that Robert W. Martin stands charged with the crime of Forgery, committed in the State of Texas, and information has been received, that the said Robert W. Martin has fled from justice and is now in the State of Louisiana.

Therefore, I E. M. Pease, Governor of the State of Texas, have thought proper in pursuance of the provisions of the Constitution and laws of the United States, to demand the person of the said Robert W. Martin as a fugitive from justice, and that he be delivered to Sergeant J. Bass who is hereby authorized to receive the said R. W. Martin.

Witness under my hand and the

Seal

Great Seal of the State affixed at the City of Austin this the Seventh day of March A.D. One Thousand Eight Hundred and Fifty-Six and of the Independence of the United States the Eighty-fourth and of Texas the Twenty-fourth

By the Governor
Edward Clark
Secretary of State

E M Pease

Comptroller's Department
Austin March 7th 1856.

To the Comptroller of Public Accounts
of the State of Texas —

Himself appears
before the undersigned Comptroller and satisfies
by evidence that Robert H. Stewart intends leaving
with the intent of remaining in California
where he "Public Records" commissioner for the State of Texas
and requests leave to have a certificate that he Robert
Robert H. Stewart is a resident and regularly
appointed Commissioner of Texas.

Therefore I C. H. Jan Comptroller of
State of Texas, have thought fit in pursuance of
the provisions of the Constitution and laws of the
United States to direct the Secretary of the State
Robert H. Stewart as aforesaid to be furnished
that he has delivered to George W. Smith as
appointed Agent on the part of the State of Texas
Witness.

Given under my hand and the Great Seal
of the State affixed at the City of Austin
this the Seventh day of March A.D. One
Thousand Eight Hundred and Fifty-Six
and of the Independence of the United States
the Eighty-fourth and of Texas the Twenty-fourth

Seal

By the Governor
Edward Clark
Secretary of State

E M Pease

The within is true & correct copy made on the
Secretary of the State of California

Executive Department
Austin Texas March 7th 1856.

To the Executive authority of
the State of Alabama.

Whereas it appears by the annexed documents which are hereby certified to be authentic that Robert W. Martin stands charged with the Crime of "Falsely making and Fraudulently altering a Public Record," committed in the State of Texas, and information having been received, that the said Robert W. Martin has fled from justice, and taken refuge in the State of Alabama.

Therefore, I E. M. Pease Governor of the State of Texas have thought proper, in pursuance of the provisions of the Constitution and laws of the United States, to demand the surrender of the said Robert W. Martin as a fugitive from justice, and that he be delivered to George W. King who is hereby appointed the Agent on the part of the State to receive said Martin.

Given under my hand and the Great Seal of the State affixed at the City of Austin, this the Seventh day of March A.D. One Thousand Eight Hundred and Fifty-six and of the Independence of the United States the Eighty-fourth, and of Texas the Twenty-fourth.

By the Governor
Edward Clark
Secretary of State.

E M Pease

Requisitions similar to the above were made on the Governor of the State of Mississippi and Tennessee; also, on the Governor of the Territory of New Mexico Utah Territory, Kansas and Nebraska.

The State of Texas.

Know all men by these presents, that whereas one Robert W. Martin stands charged by Indictment found in the District Court of the County of San Augustine, in said State of Texas at the Fall Term A.D. 1855 with the Crime of Forgery; and whereas the said Robert W. Martin has fled from justice.

Now therefore, I, E. M. Pease Governor of said State, do hereby [illegible] appoint [illegible] of the State, the Agent of said State [illegible] the people of said State in the said Martin, and bring him back to the State of Texas that he may be dealt with according to law.

Given under my hand and the Great Seal of the State of Texas at the City of Austin this the [illegible] day of March A.D. 1856 and of the Independence of the United States the Eighty-[illegible] and of Texas the Twenty-first year.

By the Governor

Edward Clark Secy. of State

E M Pease

The State of Texas.

Know all men by these presents that whereas one Robert W. Martin stands charged by Indictment pending in the District Court of the County of San Augustine and State of Texas at the Fall Term A.D. 1855 with the Twenty [illegible] making and Fraudulently uttering Public Records; and whereas the said Robert W. Martin has fled from justice.

Now therefore, I, E. M. Pease Governor of said State, have nominated, constituted and appointed, and by this Act do nominate, constitute and appoint George W. Chase a Citizen of the State, the Agent of said State, for the purpose of receiving the said Martin, and bring him back to the State of Texas, that he may be dealt with according to law.

Given under my hand and the Great Seal of the State affixed, at the City of Austin this the [illegible] day of March A.D. 1856 and of the Independence of the United States the Eighty-[illegible] and of Texas the Twenty-first year.

Seal

By the Governor

Edward Clark

Secretary of State

E M Pease

The State of Texas.

Know all men by these presents, that whereas, one Robert W. Martin, stands charged by Indictment found in the District Court of the County of San Augustine, in said State of Texas, at the Fall Term A.D. 1856, with the crime of "Falsely making and Fraudulently altering a Public Record": and whereas, the said Robert W. Martin has fled from justice

Now therefore, I, E. M. Pease Governor of said State, have nominated, constituted and appointed, and by this Act, do nominate, constitute and appoint George W. King, a citizen of this State, the Agent of said State, for the purpose of receiving the said Martin, and bringing him back to the State of Texas, that he may be dealt with according to law.

Given under my hand, and the Great Seal of the State affixed, at the City of Austin, this the seventh day of March A.D. 1856, and of the Independence of the United States the Eighty-eighth, and of Texas the twenty-first year.

Seal

By the Governor
Edward Clark
Secretary of State

E M Pease

Returns of an Election held on the 18th day of February 1856, for a Judge of the First Judicial District.

Counties	Ferris	Smith	Whitfield	Pickett	Rusk	Magnum
Anderson	143	103	3.			
Arizona						Not received
Colorado	53	241				9.
Fort Bend	32	6	108	18	25	5.
Galveston	193	187	32.	13	1	7.
Matagorda	91	6		11		8.
Nacogdoches	55	1		33	5	
	566.	503.	143.	75.	31.	29.

Department of State,
Austin, March 11th 1856.

We hereby certify that on the 10th day of March 1856, Mr Edward Clark Secretary of State received C. H. Pease Governor, the Lieutenant Governor being unable to act on account of his absence upon the Line of Government, proceeded to open and count the returns of votes, made to the office of the Secretary of State, as given at an election held in the several districts of the First Judicial District of said State on the 1st day of February last for Judge of said District and that the persons hereinafter named were found

C H Pease

Lieutenant Governor
Counting Department

To all to whom these presents may come of greeting

Know ye that from the returns of the election on file in the office of the Secretary of State of the votes given for Judge of the District Court of the First Judicial District at an election held on the Eighteenth day of February last in the several Counties composing said District it appears that James H Bell received the highest number of votes given in said District and Whereas it appears that said James H Bell has duly received said office.

In testimony whereof I have hereunto signed my name and caused the Great Seal of the State to be affixed at the City of Austin this the 11th day of March A.D. 1856 in the Twelfth year of the Independence of Texas the Twenty-first year of the Republic

Seal

By the Governor
Edward Clark
Secretary of State.

C H Pease

The State of Texas.

Whereas John F. Barrett President of the Buffalo Bayou, Brazos and Colorado Railway Company has given the notice in writing that said Company has completed and put in running order a section of its road extending from Buffalo Bayou at the Town of Harrisburg in the County of Harris to the Brazos River at the Town of Richmond in the County of Fort Bend, and measuring thereon (including, about thirty-two 12/100 miles, and that the whole of said section, with the exception of about five hundred feet on the east bank of the Brazos River was so completed and in running order previous to the 30th day of January 1856.

And that said Company desires that said section of road may be examined for the purpose of enabling them to obtain the benefits of "An Act to encourage the construction of Railroads in Texas by donations of lands", approved January 30th 1854.

And whereas, there is no State Engineer. Now, therefore, I. E. M. Pease, Governor of said State by virtue of the authority vested in me by the Constitution and laws thereof do hereby appoint Clifton Walker Esq. a citizen of the County of Galveston as an Engineer to examine said section of Railroads and report under oath all such facts in relation to the construction of said road as will show whether or not it has been constructed in accordance with the provisions of its Charter and of the general laws of this State, now in force regulating Railroads, in the execution of which duty the said Walker will be governed by the said laws and the instructions which will accompany this appointment.

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed, at the City of Austin, this the 15th day of March A.D. 1856. and of the Independence of Texas, the twenty-first year.

Seal.

E M Pease

By the Governor

Edward Clark

Secretary of State.

The State of Texas

Whereas, on the 13th day of March 1856, James S. Shaw Comptroller of Public Accounts gave me a written notice that he had been informed by the President of the Buffalo Bayou, Brazos and Colorado Railway Company, that they had completed and ready for use upwards of twelve miles and a half of said Railway in addition to that heretofore reported, and whereas, there is no State Engineer [illegible] said Railway: Now therefore I Elisha Pease Governor of said State, by virtue of the authority vested in me by the Constitution and laws thereof, do hereby appoint Milton Tucker Cook a citizen of the County of Galveston as Commissioner to examine said Railway and satisfy himself that said sections of said Railway have been completed in a good and substantial manner and are ready for use, in the execution of which duty the said Commissioner will be governed by the laws of the State and such instructions as may be furnished him by the Comptroller of Public Accounts.

In testimony whereof I have hereunto affixed my signature and caused the Great Seal of the State to be affixed at the City of Austin this the 19th day of March A.D. 1856 and of the Independence of Texas the twenty seventh year.

Seal

By the Governor

Edward Clark
Secretary of State.

E M Pease

The State of Texas.

Whereas, at the Spring Term for the year 1855, of the District Court in and for the County of Hayne in said State, a judgment was rendered in favor of the said State against George Taylor for the sum of twenty-five dollars, for his default as a juror at the Fall Term of said Court in the year 1854; and whereas, it has been made known to me that the said Taylor was exempt from jury service on account of his age, and that he employed an Attorney of said Court to appear for him and show his exemption to the said Court, but that said Attorney failed to represent him in said matter, by reason whereof said final judgment was rendered:

Now therefore, in consideration of the premises, I, E. M. Pease Governor of said State, by virtue of the authority vested in me by the Constitution and laws thereof, do hereby remit the said judgment of twenty-five dollars rendered against said Taylor as aforesaid having him still responsible for the costs of said judgment.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin, this the 31st day of March A.D. 1856, and of the Independence of Texas the 21st year.

Copied

By the Governor

Edward Clark
Secretary of State.

E M Pease

Executive Office
Austin October 22nd 1858.

Col A. M. M. Upshur
Dear Sir:

You are hereby appointed as the Agent of this State, to file the Contractors of Captain Patrick H. Crosby, who are located at the Town of Brenham in Month of August 1857, for three months services.

The pay of the members of said Company will be the same as that allowed to the Commissioned officers of the Texas Rangers in the service of the State, which rate of pay and subsistence will be found in the accounts and Vouchers necessary to accompany the pay roll to be signed by the Comptroller of Public Accounts, to which I invite their strictly attention.

You will engage a room in the town of Brenham for the Company, as soon as possible, for the pay for one month and twenty-three days services, and bring the accounts direct to Austin, for the Comptroller to audit. The Company will be allowed to remain in service three months pay, which is intended to cover that on account.

You will see that the Company will be paid at the Town of Washington on the 31st day of December next, and discharged at that place, when which will be the Members of said Company to return to their homes. You will receive from the Comptroller, a copy of the Muster Roll, and after the expiration of the time you may deem reasonable for the men to rest, pay and receive their pay, you will inform what, service may remain to be done by the Comptroller and Treasurer in settlement with them of past and future services, under your administration.

The amount of Compensation account has attached at this time, but it will be found, to cover the services, from the commencement of the administration that was rendered after the disbandment of all of said Companies.

A M Rusk

Executive Office.
Austin, Texas, March 31st 1856.

Messrs J. H. Callahan & Ben Burge,
R. W. Johnson, Otto Neffenmann
& others.—

Gent.

Your communication of the 12th inst. representing that unless something is done immediately for the protection of the Citizens residing on the upper Blanco, Guadalupe, Curry's Creek and Cordillera, they will be compelled to give up their homes, has just been received.

I have not been unmindful of your exposed condition, and some time since requested the Commanding General of this Department to have Mounted Troops sent to your vicinity for its protection, but I have heard nothing from him in reply.

You must be well aware that no means have been placed at my disposal for frontier protection, and without means I can do nothing effective.

I would however advise that your settlement organize a company of twenty men, at a small number, say 10 or 15 be kept scouting whose duty it shall be to notify the Company to assemble and pursue the Indians whenever it shall be ascertained that they are in the neighborhood. Such a course will enable you to rally a respectable force at a short notice and I think will tend to restore confidence.

Should you conclude to act on this advice, you will keep me advised of your proceedings, and I shall take pleasure in urging the Legislature to make suitable compensation for the service of those who may be employed and to pay for all reasonable expenses that may be incurred.

I do not intend to advise the organization of a force for allowing a warfare at a distance from your settlements, but that you shall endeavor by this plan to give protection against the Indians who may come into the vicinity of your settlements.

Very respectfully
E M Pease

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

Executive Office
Austin, March 4th 1857.

Dear Sir:

I have reliable information that small parties of Indians have been into the settlements on the Nueces and Leon creek in the upper part of Comal and Hays counties, within the last week, and that they have killed some stock and stolen many horses from those neighborhoods. Other depredations have also recently been committed by Indians near the head of the Cibolo, of which I presume you have already been advised.

This is the same section of country in which the Indians commenced their operations during the last summer, and I think it would be advisable to send a Company of Mounted troops to that vicinity if it can be done immediately. Unless this is done I fear that the Indians will not leave those neighborhoods for months

Very respectfully
your obt. servt.
E M Pease

Maj Genl
Persifer F. Smith.

Executive Office
Austin February 4th 1857.

Maj James S. Ewell
Adjutant General

Sir:

The Legislature has adjourned without the passage of any act, prescribing the mode in which the duties of your office shall be performed since the destruction of its records by fire. There is therefore no longer any necessity for the services of an Adjutant General.

They also failed to make any appropriation for the salary.

I have will therefore revoked your commission to date from receipt of this letter.

All documents and papers belonging to your office you will please deposit in the office of the Secretary of State taking his receipt therefor.

Very respectfully
your obt. servt.
E M Pease

Executive Office
Austin, Texas 4th Feb. 1856.

Giles S. Hoppens Esq.
Sir:

You are hereby appointed an Agent of this State, under the provisions of an act "to provide for the payment of Six Companies of Texas "Volunteers mustered into service at the revolution of the "State of Texas, on the 1st day of January 1854 under the "requisitions of Brevet Lieut. Colonel Henry E. Merritt" approved 4th January 1855 a copy of which act is herewith transmitted, and the 7th section of said act, which authorizes the State Treasurer a portion of the appropriation made by said act, to be paid to the Officers of the Companies, and the Governor, under the Seal of State, and Captain J. T. Walker, for the purpose, and to the extent, set forth, and to the Unites States will be the same.

Upon the receipt of such [illegible] you will accordingly, as soon as you shall have public notice of the [illegible] will be at the disposal of said Companies, at or near the places where they were respectively organized for the purpose of keeping them off until the discharge of said act.

James H. Rice & Co., bankers of Galveston, accounts will inform you what amount of the appropriation each Line of Officers Companies is entitled to receive, & will also advise, or, what steps, of course, you will be required to take, for the payment of the money under the appropriation, and his instructions in regard to these matters must be strictly followed.

Any assignment, from any Member of said Companies, of his pay, which does not show on its face, that the assignor knew at the time of its execution, that he was entitled to receive three months pay from the State will only be recognized as conveying to the assignee the pay due the assignor for the time he was actually in the service of the State, which time of service was, for the Members of Your Company, one Month and twenty-one days, and for the members of Captain Mechem's Company one Month.

Besides most of the Members of said Companies, it is sufficient to give to their heirs at the date [illegible]

you may appoint, or within a reasonable time thereafter, you will return the residue of the money, with the Vouchers for the payment you have made, to the Comptroller and make a final settlement with him ...

The names of the persons who composed said Companies, you will ascertain from the duplicate Muster rolls furnished to the Captains by the Officer who mustered them, or from an authentic Copy of said duplicate or original roll.

Pay will be allowed for your services, on a settlement of your accounts under this appointment, with the Comptroller, a reasonable compensation, to be paid out of the appropriation made by this Act.

E M Pease

The State of Texas

Under the provisions of "An act amendatory of an act concerning Claims and Furnishments approved 20th of March 1848," which act was approved 2d of February 1856, we have deemed it necessary to employ additional Counsel to assist in the prosecutions already commenced, or that may hereafter be commenced by the State, for fraudulent forgeries in obtaining certificates for lands from the late Adjutant General's Office, and also for burning the said Office; and generally to take charge of and manage said prosecutions in the absence of the Law Officers of the State from Austin, and to act in concert with them when they are present, and receive accordingly employ John H. Rainey of Austin for that purpose, and have agreed that he shall be paid by the State the sum of Five hundred dollars at this time, and whenever any of said prosecutions shall be brought to final trial they the said Attorneys are to receive such other amount as with this now paid, will be a reasonable and just compensation for the services rendered.

It is understood that his contract does not include the cases of the State to J. C. Rose.

Austin 5th Feb. 1856.

E M Pease
Comptroller of Texas

Chas. S. Summers
Attorney General
of the State of Texas

(Signed)

The above is a true copy of the original on file in this office

Executive Office
Austin, Texas 5 Feb. 1856.

Sir: I send you herewith a certified copy of a law of this State, entitled "An act giving the assent of the State of Texas to an act to provide for the payment of such creditors of the late Republic of Texas, as are comprehended in the act of Congress of September 9th 1850 entitled "An act making an appropriation for the payment of the debts of Texas" which was passed at the second Session of the Fourteenth Congress of the United States and approved February twenty-eighth eighteen hundred and fifty-five."

You will perceive from the act above referred to, that it assumes the amount of the debt of the late Republic of Texas, which is to be the subject of liquidation, and the operation of the Auditing Commission, to be the sum of $[illegible] and of the 9th of September 1850 and that [illegible] to the Land Office [illegible] Seven hundred and fifty thousand acres and describes the manner of the payment and discharge of the debt, and that of the [illegible] that the act of Congress assents to the act of Congress of the 28th of February 1855 with the exception of the debt therein authorized to be funded, which is a portion of said debt of Texas, which cannot be funded by the Government of the United States.

We believe that we have fully complied with the act of the 28th of February, 1855, in that we have complied with every thing upon it. In the instruction, should it be found that the creditors have failed to furnish evidence of debt at the Treasury Department, it will be their fault, therefore not the amount of the funds, will remain in the United States Treasury, and can be paid to them whenever they may be afterwards furnished; any other construction than this, might result in giving the entire Texas Millions Seven hundred and fifty thousand dollars to a part of the creditors, who never filed their claims within the time limited, for the debt is disposed into so many shares that it is nearly certain, all will not be adjusted, of the provision for its payment, in time to pay the first creditors.

The statement of the amount of the debt and interest may be published as a matter of correct account and as the chronicle of the transactions of it. They were prepared with great care by the Comptroller of this State, who has been connected with the Treasury of Texas since 1837 and is perfectly acquainted with the history of the debt. He concludes from it that neither

Mr. Cornwell's case is considered to be within the provisions of the act of the 4th of September, 1841.

You will also perceive, that while Texas withdrew and abandoned all claims and demands against the United States, growing out of Indian depredations or otherwise, which originated on or before the 28th of February, 1845, there is a proviso attached, "that this abandonment shall not apply to claims of individuals for losses of property by the Texans."

This proviso was inserted from caution, and I do not think it affects the abandonment, for Texas was not supposed to withdraw or abandon any claims belonging to individuals, but only such as the State might have.

I trust you will agree with the construction that Congress intended upon the act of the 28th of February 1855, and will consider yourself authorized to give effect to it, without the necessity of any further action of Congress.

I shall be pleased to learn your views in regard to this case, as a guide in future, and should you prefer to act under it, I shall pass to credit the power of issuing the funds as required by you, upon the usual vouchers, and State Department certificate.

From the general agreement that has been seen of proposals of this nature, and circulation, I detect that the conference of this State with Washington agreement of these expenditures were made subject and communicated with the Treasury of Texas, it is presumed with the knowledge of all the officers by whom they were organized and were acting under them for the purpose.

I have the honor to be,
Very respectfully
your obt. Servt.
E M Rose

Thomas Corwin Esqr.
Secretary of the Treasury.

Executive Office
Austin 5th Feb. 1856.

James H. Hutchinson Esq.
Sir.

you are hereby advised that the words the persons [illegible] "of the Companies of Mounted Volunteers [illegible] "in the service of Texas [illegible] "November 1854, under a requisition of Brevet Maj. "General Persifer F. Smith" [illegible] "by said Companies," approved the 7th January 1855 and [illegible] such [illegible] of said Act, Appropriated by the State Treasurer [illegible] the State, a portion of the appropriation of [illegible] made by said Act, sufficient to pay his Company Commanded by Capt. William Fitzhugh, for services at the Town of McKinney in Collin County, for three months.

Upon the receipt of said money you will forward as early as convenient to each member of said Company of Volunteers under your Command, after you have deducted Public taxes, your authority from the Such payment in three months [illegible] same rates per day [illegible] as then [illegible] and [illegible] that [illegible] therefore you who rate will be furnished to you by Jesse H. Shaw Esq. Comptroller, the name of the person composing said Company you will ascertain from the copy of the muster roll, that will be furnished you by Mr. Shaw, you will recognize no assignment of any member of said Company, which does not show on its face that the party knew that he was entitled to three months pay, as conveying a right to any more than one month and twenty-one days pay, since all over and above that amount is a gratuity from the State, and should only be paid to the party who rendered the service, unless the said party has assigned it with full knowledge of his right.

The Comptroller will advise you fully what character of Vouchers you are required to take for the payments you may make under this appointment, and his instructions must be strictly followed as soon as received after you have paid all the parties that may apply to you at McKinney within the time you may fix for their payment, you will return the residue of the money together with the vouchers for the payments you have made to the Comptroller and make a final settlement with him of your proceedings.

You will be allowed for your services on a settlement of your proceedings under this appointment, a reasonable compensation to be paid out of the appropriations made by said act.

E M Pease

The State of Texas.
Executive Department

I, E. M. Pease, Governor of said State, do hereby certify, that from an examination of the returns made according to law, to the Secretary of State of the votes given for a Judge of the District Court of the Sixteenth Judicial District, at an election held on the first day of February A.D. 1856. in the several Counties composing said District - it appears that Nat. M. Burford received the highest number of votes given for said Office, and I hereby declare that said Nat. M. Burford has been duly elected to said Office.

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed, at the City of Austin, this the first day of April A.D. 1856. and of the Independence of Texas, the twenty-first year.

Seal.

E M Pease

By the Governor
Edward Clark
Secretary of State

A certificate similar to the above was made out for John C. McCoy, as District Attorney, of the said 16th Judicial District.

Returns of an Election held on the 1st day of February 1856, for a District Judge and a District Attorney of the 17th Judicial District

	District Judge				District Attorney					
Counties	Wm M Rayford	Thomas Ennis	A M Stone	Geo W Barry	Geo G McCoy	Geo G Graham	J M Crump	J H Brown	H A Higgins	J J Dowlen
Collin	13	3	12	31	1	24	18	30	1	
Cooke	33	11	78		16	78				
Dallas	402	85	37		33	1	18	4	4	31
Denton	133	34	30	1	30	105	10	41	10	1
Ellis	132	31	54	1	46	46	128		2	35
Grayson	93	280	57	2	14	62	8	172		1
Johnson	11	39	21		1		34		11	76
Tarrant	210	213	52	2	73	53	87	53	137	29
	1206	965	337	37	676	472	480	206	171	151

Department of State
Austin April 1st 1856.

We hereby certify that on this the 1st day of April 1856. H. Coleman Clerk Secretary of State and O. M. Roberts Governor, the Attorney General being unable to act on account of his absence from the Seat of Government, proceeded to open and count the return of Votes made to the Office of Secretary of State according to law as given at an election held in the several Counties of the Seventeenth Judicial District of said State on the first day of February 1856. for a District Judge and District Attorney for said District, and that the foregoing tabular exhibits a true statement of the votes so returned.

O M Roberts

The State of Texas.

I, E. M. Pease, Governor of said State, have nominated, constituted and appointed, and by this act do nominate, constitute and appoint James B. Shaw Esqre Comptroller of Public Accounts to be the agent and attorney in fact for said State to demand and receive from the United States all moneys that may be due and coming to this State under the provisions of an act of the Congress of the United States, entitled, "An act to provide for the payment of such creditors of the late Republic of Texas as are comprehended in the Act of Congress of September nine "Eighteen hundred and fifty." Approved February 28. 1856. and also all moneys that may be due and owing to this State from the United States, on any other account, and for that purpose he is hereby fully authorized on behalf of said State to execute and deliver full releases, assignments and acquittances therefor, and generally to do and perform all such acts as may be necessary or requisite in the premises, and to represent said State in all matters and things in regards to the settlement of said debts of the late Republic of Texas, and in regards to the settlement of any claims or demands which this State has against the United States.

In testimony whereof, I hereunto sign my name and cause the Great Seal of the State to be affixed, at the City of Austin, this the fourth day of April A.D. 1856. and of the Independence of Texas the twenty-first year

E M Pease

By the Governor
Edward Clark
Secretary of State.

The State of Texas.

Whereas, a vacancy exists in the House of Representatives of this State occasioned by the resignation of Lorenzo Sherwood, who was a member thereof from the County of Galveston: Now therefore by virtue of the authority conferred on me by the Constitution and Laws of said State, I hereby order that an election be held in the County of Galveston on the first day of the ensuing month of May 1856, for one Representative to the State Legislature to fill said vacancy.

The Chief Justice of said County in his case, shall be absent or unable to act, then any two of the County Commissioners of said County may issue said election in pursuance of this order, and the same proceedings shall be made thereon as in other cases.

In testimony whereof I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin, this the 8th day of April A.D. 1856, and in the year of the Independence of Texas the twenty-first.

E M Pease

By the Governor
Edward Clark
Secretary of State.

The State of Texas

Whereas, at the Spring Term in the Year 1856, of the District Court for the County of Colorado in said State, one Joseph Pankey was convicted of an assault with intent to kill, for which offence he was sentenced to be confined in the State Penitentiary for the term of one year — and Whereas, the Jury who convicted said Pankey, say in their verdict, that they strongly recommend him to mercy — and Whereas, it has been made known to me that at the time of the commission of said offence by said Pankey in December 1855, he was severely wounded by a Pistol shot, by which he has been disabled up to this time and from which he is still so feeble that he had to be brought into Court on a Matthress at his trial, and that from the nature of his wounds he cannot more than recover his health by the expiration of his sentence — and whereas certificates have been presented by Physicians who have attended him and examined his wounds, showing that the character of his wound is such that his arm will be disabled for life, — and Whereas, it has been made known to me that in the assault for which he was convicted as aforesaid, no crime or injury was inflicted on the party assailed, while the said Pankey received the wounds before named, from which he has since been and still is in a helpless condition.

Now therefore, in consideration of the premises I, E. M. Pease, Governor of said State, by virtue of the authority vested in me by the Constitution and laws thereof do hereby grant to the said Joseph Pankey a pardon for said offence and do hereby direct the officer or officers who may have him in custody to release and discharge him from all further confinement under said conviction and sentence.

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed, at the City of Austin, this the Ninth day of April A.D. 1856, and of the Independence of Texas the Twenty-First year.

Seal.

By the Governor
Edward Clark
Secretary of State

E M Pease

The State of Texas

Whereas, John H. Vaughan was convicted of the crime of manslaughter at the Spring Term for the year 1854 of the District Court for the County of Austin in said State, for which he was sentenced to be confined in the State Penitentiary for two years, and whereas, the said Vaughan has now been in the Penitentiary under said sentence since the 29th day of April 1854, and his term of imprisonment will expire on the 29th day of April 1856 and whereas such representations have been made to me that I am satisfied he would be prematurely discharged by his imprisonment.

Now, therefore I E. M. Pease Governor of said State by virtue of the authority vested in me by the Constitution and laws thereof do hereby grant to said Vaughan a pardon for said offence, and hereby direct the keeper of the State Penitentiary to release said Vaughan from all further imprisonment for said offence.

I, hereunto affixed my hand and caused the Great Seal of the State to be affixed, at the City of Austin this the 17th day of April A.D. 1855. in the Seventeenth year of Texas the twenty second year.

Seal

E M Pease

By the Governor
Bird Holland
Actg Secy of State

Executive Office
Austin, Texas 10 April 1856

Col. John P. Pitts

Dear Sir:

You are hereby appointed as the agent of this State, to pay the Company of Captain William R. Henry which was enrolled at the Town of Goliad in the month of October 1857, for three months service.

The pay of the members of said Company will be the same as that allowed by the laws and regulations of the United States to Mounted Volunteers, a statement of which, together with the muster-roll and particular instructions as to the manner of payment, and the vouchers necessary to be taken by you, will be furnished to you by the Comptroller of Public accounts, which must be strictly followed.

You will recognize no assignment from any member of said Company as conveying more than his pay for one month and fourteen days, unless it shall appear from said assignment that the assignor knew that he was entitled to receive full three months pay, and intended to convey that amount.

You will commence paying said Company at the Town of Seguin on the 15. day of April instant, and remain at that place a reasonable time, for the members of said Company to apply for their pay, you will receive from the Comptroller the funds necessary to pay said Company and after the expiration of the time you may deem reasonable for the members to apply and receive their pay, you will return what funds may remain in your hands to the Comptroller, and make a settlement with him of your acts and doings under your appointment.

The amount of compensation cannot be stated at this time, but it will be fixed, so soon as I can ascertain the amount of the appropriation that will remain after the payment of all of said Companies.

E M Pease

Executive Office
Austin, March 14th 1856.

Tipton Walker Esq.
Dear Sir:

I send you with this an appointment, as Engineer, to make an examination of the Buffalo Bayou Brazos and Colorado Railroad, and to report whether or not the said road has been constructed in accordance with the provisions of its charter and of the general laws of the State regulating Railroads.

This appointment is made under the 6th section of "An act to encourage the construction of Railroads in Texas by donations of lands", approved January 30th 1854, a copy of which, in manuscript accompanies this letter, and has no connection with your appointment as Commissioner of the same date, that will be sent you by Mr Shaw with his instructions.

Among the matters to be examined into and reported upon by you the following occur to me as particularly important, viz

1st whether all that portion of the road that has been built since the 30th of January 1854. is constructed with iron rails that weigh at least fifty four pounds to the yard &c.

2nd The actual length of road completed

3rd How much of it was completed and in running order by the 11th of February 1854.

4th How much of it was constructed and completed previous to the 30th of January 1856.

5th Whether said road has been completed in a good and substantial manner

It is not intended that your examination and report will be confined to the matters above specified, but it is expected that you will examine into and report upon all such facts as may be necessary to determine whether said Company is entitled to receive from the State, sixteen sections of lands per mile for the road that they have constructed, and in order that you may be fully advised of what is required to determine that question, I send you with this sixteen pages in manuscript, which contain the original Act incorporating said Company with all the amendments thereto, and also a printed volume in which you will find the general law of this State regulating railroad Companies with the

amendments thereto, these together with the copy of the act referred to on the preceding page contain all the laws of this State that have any bearing on the subject.

E M Pease

Proclamation

By the Governor of the State of Texas.

Whereas, a vacancy has occurred in the Representation of Rusk County, by the death of the Hon: Jackson S. Devinney, of the House of Representative.

Now therefore, I, E. M. Pease Governor of said State do, by virtue of the authority vested in me hereby order and direct that an election be held in the said County of Rusk on Saturday the 14th day of June next for the election of a Representative for said County, to supply said vacancy.

The Chief Justice, or two of the County Commissioners, if necessary of said County will therefore give the proper notice and cause polls to be opened at the usual places of said County on the said Saturday, the 14th day of June next for the election of the said Representative.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin, this the 15th day of May A.D. 1856.

Seal

E M Pease

By the Governor,
Edward Clark
Secretary of State

See page 750. James H. Raymond appointed to pay off Capt. Charles E. Travis' Company.

Return of an election held on the 3rd day of March 1856. for a District Attorney for the 12th Judicial District.

District Attorney

Counties	Campbell	A. G. McCallum	Thos Fletcher	Jas Hollinsworth	Stephen Green
Cannon	27	21	11	3	2
Hardeman		191			
Hart					
Webb	187	18			

Department of State
Austin, Texas 3rd 1856.

We hereby certify that on this the 3d day of May 1856 we, Edward Clark secretary of State and E. M. Pease Governor - Thos J. Jennings Atty General C. being unable to act on account of his absence from the Seat of Government proceeded to open and count the returns of votes made to the Office of Secretary of State according to law as given at an election held in the Several Counties of the twelfth Judicial District of said State on the third day of March 1856. for a District Attorney for said District, and that the foregoing tabula exhibits a true statement of the votes so returned.

E M Pease

Department of State.
Austin, May 20th 1856.

In the absence of the Governor, I, Edward Clark, Secretary of State of the State of Texas, do hereby certify that from an examination of the returns made according to law, to the Secretary of State of the votes given for District Attorney for the twelfth Judicial District of said State, at an election held on the third day of March A.D. 1856, in the several Counties composing said District, it appears that Edward Dougherty received the highest number of votes given for said Office, and I hereby declare that said Edward Dougherty has been duly elected to said Office.

In testimony whereof I have hereunto signed my name and affixed the Seal of the Department of State, at the City of Austin, this the 20th day of May A.D. 1856, and of the Independence of Texas the 21st year.

Seal.

Edward Clark

Election Notice.

Proclamation

By the Governor of the State of Texas

Be it known that J. C. M. Pease Governor of the State of Texas, do, by virtue of the authority vested in me, hereby order and direct that an election be held in the several Counties of the State, on the First monday (the 4th day) of August next, for the election of the following named State and District Officers, and for such Officers in the different Counties as should then be elected:

For an Attorney General, Comptroller of Public Accounts, and a Treasurer for the State.

For one Chief Justice, and two Associate Justices of the Supreme Court of said State.

In the Counties of the 7th Judicial District, for a District Judge for said District.

In the Counties of the 8th Judicial District, for a District Judge and a District Attorney for said District.

In the Counties of the 9th Judicial District for a District Judge and a District Attorney for said District.

In the Counties of the 15th Judicial District for a District Judge and a District Attorney for said District.

In the Counties of the 1st, 2nd, 3rd, 4th, 5th, 6th 10th, 11th, and 13th Judicial Districts respectively, for the election of a District Attorney for each of said Districts.

The Chief Justices of the several Counties (or in case of vacancy in the Office of Chief Justice or inability of that Officer to act, then any two of the County Commissioners,) will therefore give due notice, and cause polls to be opened at the several precincts of their Counties, on the said first monday (the 4th day) of August next, for the election of the aforesaid State and District Officers, and for the election of such County Officers in their respective Counties as should then be elected. They will make separate duplicate returns of said election, to wit:—(one for the State Officers, another for the County (for the County) Officers)—carefully sealed up, one of which they will transmit

to the Seat of Government, directed to "The Secretary of State," and endorsed, "Election Returns of County for ;" as the case may be — the other they will deposit in the Office of the Clerk of the County Court.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed.

Done at the City of Austin, this the Nineteenth day of May A.D. 1856, and of the Independence of Texas, the twenty-first year.

Seal

E M Pease

By the Governor
Edward Clark
Secretary of State.

Proclamation.

By the Governor of the State of Texas

Whereas it has been represented and made known to me, that James Wyatt, did, on the 28th day of April last, commit murder upon the body of J. P. Boyd, in the County of Limestone, of this State; and whereas, the said James Wyatt has fled from justice—

Now therefore be it known that I, E. M. Pease, Governor of said State, do, by virtue of the authority vested in me by law, hereby offer a reward of Three Hundred Dollars for the apprehension and delivery of said Wyatt to the Sheriff of Limestone County in order that he may be dealt with according to law.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed.

Done at the City of Austin, this the 27th day of May A.D. 1856, and of the Independence of Texas, the twenty-first year.

Seal

E M Pease

By the Governor
Edward Clark
Secretary of State.

Said James Wyatt is about thirty years of age, slender made, and a little stooped shouldered, about 5 feet 9 or 10 inches high, thin visaged, sallow complexion, rather slow spoken, black hair & eyes, no eyelashes, and down mean countenance.

Proclamation

By the Governor of the State of Texas.

Whereas a vacancy has occurred in the Representative Branch of the Legislature, by the resignation of the Hon: R. C. Niblett Representative from the County of Grimes.

Now therefore I, E. M. Pease Governor of said State, do, by virtue of authority vested in me, hereby order and direct the Chief Justice of said County, or any two of the County Commissioners if necessary, to give due notice and cause polls to be opened at the different Precincts of said County on Saturday the 21st day of June Instant, for the election of a Representative for said County of Grimes, the Chief Justice or two Commissioners, as the case may be, will make returns of said elections as required by law and give the necessary certificate of election to the person elected.

In testimony thereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed.

Seal.

Done at the City of Austin, this the 2d day of June A.D. 1856. and of the Independence of Texas the twenty-first year.

E M Pease

By the Governor.

Edward Clark
Secretary of State

Proclamation

By the Governor of the State of Texas

Whereas, the Hon: Thomas J. Devine, Judge of the 4th Judicial District, has resigned said Office of Judge — said resignation to take effect on the first day of November, 1856.

Now, therefore, I, E. M. Pease, Governor of said State of Texas, do, by virtue of the authority vested in me, hereby order and direct that the Chief Justices of the several Counties of the said 4th Judicial District of the State, or two of the County Commissioners, if necessary, give due notice and cause polls to be opened at the precincts of their respective Counties on the first Monday, 4th of August, 1856, for the election of a Judge for the said Judicial District.

The Chief Justices of the several Counties of said Judicial District, or two of the County Commissioners, as the case may be, will make duplicate returns of said election, carefully sealed up; one of which they will transmit to the Seat of Government, directed to "The Secretary of State," and endorsed "Election returns of County for Judge of the 4th Judicial District" — the other they will deposit in the Office of the County Clerk.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin, this the 4th day of June, A.D. 1856, and of the Independence of Texas the twenty-first year.

Seal

E M Pease

By the Governor
Edward Clark
Secretary of State

Proclamation

By the Governor of the State of Texas

Whereas, A. W. Hicks, Judge of the 5th Judicial District, has forwarded to me notice of his resignation of said office of Judge — said resignation to take effect on the fifteenth day of October, 1856.

Now therefore, I, E. M. Pease, Governor of said State of Texas, do, by virtue of the authority vested in me, hereby order and direct that the Chief Justices of the several Counties of the said 5th Judicial District of the State, or two of the County Commissioners, if necessary, give due notice and cause polls to be opened at the precincts of their respective Counties on the first Monday, the 4th day of August, A.D. 1856. for the election of a Judge for said Judicial District.

The Chief Justices of the several Counties of said Judicial District, or one or two of the County Commissioners, as the case may be, will make out duplicate returns of said Election, carefully sealed up; one of which they will transmit to the Seat of Government, directed to "The Secretary of State," and endorsed "Election returns of County for Judge of the 5th Judicial District" — the other they will deposit in the Office of the County Clerk.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin, this the 4th day of June A.D. 1856, and of the Independence of Texas the twenty-first year.

(Seal.)

By the Governor:

Edward Clark

Secretary of State.

E M Pease

Proclamation

By the Governor of the State of Texas.

Whereas, the Hon. W. W. Morris, Judge of the 6th Judicial District, has resigned said Office of Judge — said resignation to take effect on the first day of November, A.D. 1856.

Now, therefore, I, E. M. Pease, Governor of said State, do, by virtue of the authority vested in me, hereby order and direct that the Chief Justices of the several Counties of the said 6th Judicial District of the State, or two of the County Commissioners, if necessary, give due notice and cause polls to be opened at the different precincts of their respective Counties on the first Monday, the 4th day of August, A.D. 1856, for the election of a Judge for said Judicial District.

The Chief Justices of the several Counties of said Judicial District, or two of the County Commissioners, as the case may be, will make duplicate returns of said election, carefully sealed up; one of which they will transmit to the Seat of Government, directed to "The Secretary of State," and endorsed "Election returns of County for Judge of the 6th Judicial District" — the other they will deposit in the Office of the County Clerk.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed. at the City of Austin, this the 5th day of June A.D. 1856, and of the Independence of Texas the twenty-first year.

Seal.

E M Pease

By the Governor

Edward Clark

Secretary of State.

Proclamation

By the Governor of the State of Texas.

Whereas, the Hon. James Webb Judge of the 14th Judicial District, has resigned said office, and his resignation is to take effect on the first day of January, 1857;

Now therefore, I E. M. Pease, Governor of said State of Texas, do by virtue of the authority vested in me, hereby order and direct that the Justices of the several Counties of the said 14th Judicial District of the State, or two of the County Commissioners, if necessary, proceed to open and cause polls to be opened at the precincts of the respective Counties on the first Tuesday in the 4th day of August, A.D. 1856, for the election of a Judge for said Judicial District; the person elected to enter upon the discharge of the duties of the office on the first day of January, 1857.

The Chief Justices of the several Counties of said Judicial District, or two of the County Commissioners, as the case may be, will make duplicate returns of said election, carefully sealed up; one of which they will transmit to the Seat of Government, directed to "The Secretary of State," and endorsed "Election returns of County for Judge of the 14th Judicial District" — the other they will deposit in the Office of the County Clerk.

Seal.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin, this the 14th day of June, A.D. 1856, and of the Independence of Texas the twenty-first year.

By the Governor

Edward Clark

Secretary of State

E M Pease

Proclamation

By the Governor of the State of Texas.

Whereas, the Hon. Fielding Jones, Judge of the 10th Judicial District, has resigned said Office of Judge — said resignation to take effect on the fifteenth day of October, 1856.

Now therefore, I, E. M. Pease, Governor of said State of Texas, do, by virtue of the authority vested in me, hereby order and direct that the Chief Justices of the several Counties of the said 10th Judicial District of the State, or two of the County Commissioners, if necessary, give due notice and cause polls to be opened at the precincts of their respective Counties on the First Monday, the 4th day of August A.D. 1856, for the election of a Judge for said Judicial District; the person elected to enter upon the discharge of the duties of the Office on the said fifteenth day of October, 1856.

The Chief Justices of the several Counties of said Judicial District, or two of the County Commissioners, as the case may be, will make duplicate returns of said election, carefully sealed up; one of which they will transmit to the Seat of Government, directed to "The Secretary of State", and endorsed "Election returns of County for Judge of the 10th Judicial District" — the other they will deposit in the Office of the County Clerk.

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed, at the City of Austin, this the 20th day of June, A.D. 1856, and of the Independence of Texas the twenty-first year.

Seal

By the Governor:

Edward Clark

Secretary of State.

E. M. Pease

Proclamation

By the Governor of the State of Texas.

Whereas, the Hon. Henry J. Jewett, Judge of the 13th Judicial District, has resigned said Office of Judge, — said resignation to take effect on the Tenth day of November, 1856.

Now, therefore, I, E. M. Pease, Governor of said State of Texas, do, by virtue of the authority vested in me, hereby order and direct that the Chief-Justices of the several Counties of the said 13th Judicial District of the State, or two of the County Commissioners, if necessary, give due notice and cause polls to be opened at the precincts of their respective Counties on the First Monday, the 4th day of August, A.D. 1856. for the election of a Judge for said Judicial District; the person elected to enter upon the discharge of the duties of his office on the said tenth day of November, 1856.

The Chief Justices of the several Counties of said Judicial District, or two of the County Commissioners, as the case may be, will make duplicate returns of said election, carefully sealed up; one of which they will transmit to the seat of Government, directed to "The Secretary of State," and endorsed "Election returns of County for Judge of the 13th Judicial District" — the other they will deposit in the Office of the County Clerk.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin, this the 21st day of June, A.D. 1856. and of the Independence of Texas, the twenty-first year.

Seal

By the Governor

Edward Clark

Secretary of State.

E M Pease

Proclamation

By the Governor of the State of Texas.

Whereas, it has been made known to me that the Hon: R. E. Hines, Representative of Titus County, departed this life on the first day of May 1856, whereby a vacancy exists in the Representation of said County in the House of Representatives of the Legislature of the State.

Now, therefore, I, E. M. Pease, Governor of said State, do, by virtue of the authority vested in me hereby order and direct that an election be held in the said County of Titus for the election of a Representative for said County, to supply said vacancy.

The Chief Justice, or two of the County Commissioners, if necessary, of said County, will therefore give the proper notice, and cause an election to be held at the several precincts of said County, within five days after receiving this Proclamation, for the election of the said Representative.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin, this the 23d day of June A.D. 1856, and of the Independence of Texas the twenty-first year.

Seal.

By the Governor
Edward Clark
Secretary of State.

E M Pease

The State of Texas.

Whereas, at the Fall Term in the year 1855. of the District Court in and for the County of Travis in said State a Judgment final was rendered in favor of the State of Texas against W. G. W. Jowers, A. G. Cantley and A. C. McClure for the sum of Three hundred dollars, besides the costs upon joint and several bonds executed by the said Jowers as principal and the said Cantley and McClure as securities for the appearance of said Jowers at the District Court of Travis County on the eighth monday after the first monday in March 1855. to answer an Indictment against him for betting at a Faro Bank, and whereas it has been made known to me that said Jowers has, since the rendition of said Judgment, appeared before the said District Court and plead guilty to said Indictment, and has been sentenced to pay a fine and costs therefor, which said fine and costs have since been fully paid and discharged by said Jowers.

Now therefore, in consideration of the premises, I, E. M. Pease, Governor of said State, by virtue of the authority vested in me by the laws and constitution thereof, do, hereby remit and discharge the aforesaid judgment of Three hundred dollars against the said Jowers, Cantley and McClure with the exception of the costs taxed thereon, and the clerk of said Court is hereby authorized and required, under the direction of the said Court, to make such entries upon the records thereof as will give effect to this remission and discharge, leaving the said parties still liable for the costs taxed upon said judgment.

Seal.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin, this the twenty-sixth day of June A.D. 1856. and of the Independence of Texas the twenty-first year.

By the Governor
Edward Clark
Secretary of State.

E M Pease

Executive Department
Austin, Texas, June 20th 1856.

To the Executive Authority
of the State of Louisiana.

Whereas, it appears by the annexed documents, which are hereby certified to be authentic that Parker W. French stands charged with "obtaining money under false pretences," committed in the State of Texas, and information having been received, that the said Parker W. French has fled from justice, and take refuge in the State of Louisiana.

Therefore, I, E. M. Pease, Governor of the State of Texas, have thought proper in pursuance of the Constitution and laws of the United States to demand the surrender of the said Parker W. French as a fugitive from justice, and that he be delivered to Joseph Devine, who is hereby appointed the Agent on the part of the State to receive him.

Given under my hand and the Great Seal of the State affixed, at the City of Austin, this the 20th day of June A.D. one thousand eight hundred and fifty-six, and of the Independence of the United States the Eightieth, and of Texas the twenty-first year.

Seal

By the Governor
Edward Clark
Secretary of State.

E M Pease

Executive Department
Austin, Texas, June 28th 1856.

To the Executive Authority of
the State of New York

Whereas, it appears by the annexed documents, which are hereby certified to be authentic, that Parker H. French is charged with "Obtaining money under false pretences and fraudulent" committed in the State of Texas, and information having been received, that the said Parker H. French has fled from justice, and taken refuge in the State of New York.

Therefore, I, E M Pease, Governor of the State of Texas, have thought proper in pursuance of the provisions of the Constitution and laws of the United States, to demand the surrender of the said Parker H. French as a fugitive from justice and that he be delivered to Joseph Devine, who is hereby appointed the agent on the part of the State to receive said French.

Seal

Given under my hand and the Great Seal of the State affixed, at the City of Austin, this the 28th day of June A.D. 1856. and of the Independence of the United States, the Eighteenth, and of Texas the twenty-first year

By the Governor

E M Pease

Edward Clark
Secretary of State.

N.B. A requisition similar to the above, was made on the Executive authority of the State of California.

The State of Texas

Know all men by these presents, that whereas, one Parker H. French stands charged by indictment found in the District Court of the County of Brazos in said State at the Spring Term A.D. 1856. with "obtaining money under false pretence & pretences," of Daniel Devine of the said County of Brazos and State aforesaid on the first day of July in the year of our Lord one thousand eight hundred and fifty. — and Whereas, the said Parker H. French has fled from justice.

Now therefore, I, E. M. Pease, Governor of said State, have nominated, constituted and appointed; and by this act do nominate, constitute and appoint Joseph Devine, a citizen of this State, the agent of said State, for the purpose of receiving the said Parker H. French, and bringing him back to the State of Texas, that he may be dealt with according to law.

Seal

Given under my hand and the Great Seal of the State affixed, at the City of Austin, this the twenty-eighth day of June A.D. 1856. and of the Independence of the United States the Eighty-eth, and of Texas the twenty-first year.

E M Pease

By the Governor
Edward Clark
Secretary of State.

Proclamation

By the Governor of the State of Texas.

Whereas, the Hon: R. E. Carver, one of the Representatives from the County of Washington has resigned said Office of Representative;

Now, therefore, J. E. M. Pease, Governor of said State, do, by virtue of the authority vested in me, hereby order and direct the Chief Justice of said County, or any two of the County Commissioners, if necessary, to give due notice and cause polls to be opened at the different precincts of said County within ten days after receiving this Proclamation, for the election of a Representative for said County of Washington, to supply the vacancy occasioned by the resignation of the said R. E. Carver.

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed at the City of Austin, this the 28th day of January A.D. 1856, and of the Independence of Texas the twenty-first year.

By the Governor.

Edward Clark

Secretary of State.

J. E. M. Pease

Proclamation

By the Governor of the State of Texas

Whereas, the Hon. Thomas H. Duval, Judge of the 2nd Judicial District, has resigned said Office of Judge — said resignation to take effect on the Tenth day of October, 1856.

Now, therefore, I, E. M. Pease, Governor of said State of Texas, do, by virtue of the authority vested in me, hereby order and direct that the Chief Justices of the several Counties of the said 2nd Judicial District of the State, or two of the County Commissioners, if necessary, give due notice and cause polls to be opened at the precincts of their respective Counties on the First Monday, the 4th day of August, A. D. 1856, for the Election of a Judge for said Judicial District; the person elected to enter upon the discharge of the duties of the Office on the said tenth day of October, 1856.

The Chief Justices of the several Counties of said Judicial District, or two of the County Commissioners, as the case may be, will make duplicate returns of said Election, carefully sealed up; one of which they will transmit to the Seat of Government, directed to "The Secretary of State", and indorsed "Election returns of County for Judge of the 2nd Judicial District" — the other they will deposit in the Office of the County Clerk.

Seal

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin, this the 2nd day of July A. D. 1856, and of the Independence of Texas, the twenty-first year.

By the Governor:
Edward Clark

E M Pease

Secretary of State

The State of Texas.

Whereas, at the Spring Term in the year 1855 of the District Court in and for the County of Nacogdoches in said State one Thomas Rimmele was convicted under five indictments numbered 504. 523. 527 and 530, each for the offence of "selling spirituous liquors to slaves without the permission of their masters," and a fine was imposed on him in each of said cases besides the costs; and whereas, it has been made known to me, that the proof on the trial of said causes, was that the liquor was given to said slaves and that no consideration was received therefor, and that the Judge presiding on said trial charged the jury that it was immaterial whether the liquor was sold or given to the slaves — That said causes were taken to the Supreme Court on an exception to the charge of the Judge, without any statement of facts, and that said Supreme Court affirmed said causes because there was no statement of the facts provided showing the materiality of the charge, although in other cases of a similar kind in which a statement of the facts was sent up, the said Court reversed the convictions on the ground that the charge was erroneous. And whereas, it has also been represented to me by respectable citizens of Nacogdoches County that said Rimmele is a good and law abiding citizen, and that they do not believe he intended to violate the laws of the State, and also, that his means have been so greatly reduced by a fire that occurred in the Town of Nacogdoches in December last that he is unable to pay the amount of said fines and costs

Now therefore, I, E. M. Pease, Governor of said State by virtue of the authority vested in me by the Constitution and laws thereof do hereby remit the fine imposed upon said Rimmele in each of said causes, leaving him still liable to pay the costs, and the Clerk of the District Court of said County is hereby authorized under the direction of the Judge to make such entries on the records of said records of said Court as will show this remission of said fines.

Given under my hands and the Great

Seal

Seal of the State affixed, at the City of Austin, this the ninth day of July A.D. 1856. and of the Independence of Texas the twenty-first year.

By the Governor
Edward Clark
Secretary of State.

E M Pease

The State of Texas

Whereas, an Indictment was found at the Spring Term 1856. of the District Court in and for the County of Travis in said State against John J. Blankenship for burning a certain building in the City of Austin County of Travis in said State known as the Adjutant General's Office of the State of Texas: and whereas a Capias for said Blankenship has been sent to the Sheriff of the County of his residence, who has made an effort to arrest him but has failed to do so.

Now, therefore, be it known that I, E M Pease Governor of said State by virtue of the authority vested in me by law, do hereby offer a reward of five Hundred dollars for the arrest and delivery of said Blankenship to the Sheriff of Travis County at the City of Austin before the final adjournment of the District Court for said County of Travis which is now in Session, to be dealt with according to law.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed at the City of Austin, this the tenth day of July, A.D. 1856, and of the Independence of Texas, the twenty-first year.

Seal

By the Governor
Edward Clark
Secretary of State

E M Pease

Executive Office
Austin, Texas, 5th July 1856.

Gentlemen of the Senate,
and House of Representatives.

I submit herewith to the Senate a bill entitled "An act to amend the Caption and the first and sixth sections of an act to incorporate the Texas Western Land Trade Company, approved February 16th 1853."

Texas has grantees to Railroad Companies has become an important fact of legislation, yet it is very doubtful that some amendments should be adopted in regard to such and other.

Act. has been passed at this session giving aid to the Galveston, Houston, and Henderson Company; The Galveston and Red River Company, and to another re-incorporating the Memphis City and Pacific Company, all to refer in each of these Charters the Grants were imposed of keeping their principal office on the line of their roads of holding their meetings, in their officers and their offices in this State — a requiring a majority of their directors resident of this State.

All of these provisions are salutary and necessary to prevent the roads from being managed adversely to the interest of our State and Citizens, and yet none of these terms are imposed upon this Company. Is this exception made justifiably? Is there anything in the previous management of this Company to entitle it to peculiar favor? On the contrary, is it not notorious, that its principal Office has been kept out of the State, that most if not all its elections for directors and other officers, except the one held since it has been pending, have been held out of the State, and that a large majority of its directors are non residents.

Only one of the important above mentioned was liable to these objections, yet, in granting them relief it was deemed necessary to impose these restrictions upon them all, and I can see no good reason why an exception should be made in favor of this company.

Another objection to this act is, that it does not limit the time within which it shall be required to discover and identify the location of lands granted by its original Charter. That Charter provides that

"that the road or any branch thereof shall pass through any public lands, all such lands to the depth of three miles from the exclusion line of the track, on each side thereof, shall be and are hereby reserved for the State, from and after the time such track shall be fixed or designated by survey, recognition or otherwise, and said lands as the road is constructed, shall be divided into sections containing one mile each, on the road plainly marked, and of these reserved lands, the Company shall have the right by deed of any of their Certificates issued in accordance with the provisions of this Act, to cause to be selected, in lieu and substitution, for their use; each alternate section, or the remaining sections shall continue the property of the State until disposed of by the Legislature."

The question is to be ascertained when the track shall be fixed or designated by survey recognition or otherwise, the Company is not even required to make a record of the designation of the track either in the General Land Office, or in any District Surveyor's Office, so that the public can ascertain the locality. It is not required to be surveyed into sections and fixed thereon the moment it is constructed, and more therefore, within the exception of the first twenty miles, the Company can go without surveying or designating for any indefinite period, as the terms only require the Company to commence its road within four years from its passage and complete two miles within five years and twenty miles in six years. This being done, the right to the reservation becomes complete, and the Company may keep it pending or one hundred years without warranting or determining it, if they choose to take that time to construct the remainder of their road.

It should be recollected that the number of this road is from the Eastern line of the State to the Pacific, and that most of it, after crossing the Sierra, passes through Land, in large portions of which it may not be, that this Company is operating on the lines of the reservation made for the Sacramento and Pacific road, to which this Company claims a prior right.

It does not appear that any other company has made a reservation over a route, which has in part been taken up, and forms part of the Central Pacific Company which has been incorporated by the Legislature, in the hope that Congress will complete the reservation in the manner and the distinct portions of vacant lands

authorized to receive, and to deposit a map of the same in the General Land Office within four years from the first of March 1856, is so, but all rights in the reservation. It is also compelled to have graded and ready for the iron at least one hundred miles of road within four years from the first of March 1856, or the charter is to be void, other onerous restrictions requiring the road to be prosecuted to completion in a reasonable time, are also imposed as conditions for the reservation.

The policy of granting such reservations at all, is a very questionable one, and it certainly becomes the more objectionable, when, as in the case, with the company named in the act, the reservation may be continued for an indefinite period of time, without survey, and without any record thereof either in the General Land Office or in the Office of the Chief Surveyor.

The, or one of the objects to be effected by this act, is to change the name of the Company to that of the Southern Pacific Railroad Company, to this there should be no objection.

The second object is to make legal all the acts heretofore done by the Company, and to declare such acts legal and binding to all the purposes intended, whatever this is intended to legalize I have no means of knowing.

The only remaining object, I can perceive that is not specified to be effected by the act, is to release the Company from the necessity of completing ten miles of road within five years from the passage of its charter and to require it only to grade and bridge twenty five miles per year within their limits. If the Company has any capital, the task will not be an onerous one to complete the ten miles of road within the time prescribed. But if it has no capital, or if it has not capital sufficient for at least months, after having been organized for several years, it certainly ought not to be rewarded and encouraged in the way of other citizens who may be willing to undertake the construction of such a work. Besides a failure to construct the ten miles by the 4th of February 1858 does not forfeit the charter, but merely forfeits the reservation made in favor under the charter, and the Company will still be entitled under the act to select ten to twelve sections of land in lieu of the twenty-five miles not completed

by the 16th of February 1858.

I trust it will not be considered out of place here to allude to some facts connected with the organization and management of this Company.

It is a matter of general notoriety that during the pendency of the act to provide for the construction of the Mississippi and Pacific Railroad, which was approved 21st December 1853. the original Company organized under this Charter filed in the General Land Office a designation of this route and reservation nearly on the 32nd parallel of North latitude, and subsequently made use of the same to control the location of the Mississippi and Pacific road, in which they so far succeeded as to induce a portion of the members forming the only Company that offered proposals for the construction of that road which came within the provisions of the law, just to purchase this Charter at the price of six hundred thousand dollars. It is also a matter of equal notoriety that those gentlemen who thus purchased this Charter afterwards insisted upon their right to retain the contract for the Mississippi and Pacific railroads on the grounds that they had tendered a worthless deposit, the mere offering of which was a gross indignity to the State, and that after that contract was declared forfeited, they reorganized this Company with the avowed object of preventing any other company from taking that contract, and that they have thus far, by representing that they still have rights under this contract, and also, that they have under this Charter a major reservation over the route, preventing any other proposals from being offered under the law of the 21st December 1853.

It is worthy of your serious consideration how far it is advisable to grant relief to a Company, the controlling members of which have attempted to practice such an imposition upon the State, and have heretofore endeavored to defeat its favorite policy of securing the construction of the Pacific road, were our Secretary under the Act issued for that purpose. Not generally have we that the members will not continue to use this Charter to defeat the policy and the interest of the State?

Such relief as is to be granted to the Company, it ought to be on condition that it consents to such changes in its original rights and privileges, and

authority to decide between and restriction as experience has shown to be necessary for the protection of the public interests. This is the course that this legislature has pursued towards other companies to which it has granted relief, and there is no good reason why this company should be form an exception. These considerations have compelled me to withhold my approval from this act, and to return it to you for your reconsideration.

E M Pease

Circular

Executive Department
Trenton, New Jersey, July 7, 1883.

To the Senate,
and the House of Assembly.

I congratulate you on your return to the capital to resume the duties of your station. The extreme heat under which we unfortunately are in legislation, yet I trust that you will be able speedily to perfect those measures which the public interest demands, and return to health to your homes.

First of the important questions that will occupy your attention, were so fully discussed in the communication I had the honor to make at the commencement of your session, that I do not think it necessary, at this time, to do more in regard to them, than to urge your adoption of such as have not been finally acted upon.

One of the subjects that will claim much of your attention, will be, the Reports of the commissioners appointed to prepare a Code, amending, supplying, revising, digesting and arranging the civil, criminal and criminal, of the State.

These Reports consist of a Code of Civil Procedure, a Code of Criminal Procedure, a Penal Code and the revision of particular laws of a general nature. I have different all of these reports with much care, and make

I find some objections to them, I believe they are a great improvement upon our present very defective laws, and that their adoption with some modifications, will give us a basis, upon which a few years experience, will enable us to erect as good a System of laws as is possessed by any State in the Union.

It is to be expected that these reports will meet with opposition, for no great reforms in the principles or the practice of the law, have ever been introduced into any Country without encountering strong opposition from a large class who are always averse to any innovations upon established usages, and I regret to say that a major-ity of the legal profession are generally to be found in that class.

I trust however that a majority of the Legisla-ture will not be influenced by any such considerations, but that they will, in obedience to what I believe to be the public sentiment of the State, give to these reports a careful examination and adopt them with such amendments as may appear to be necessary.

While it is the general expectation that your time will be mainly occupied in the perfection of such measures as were left unfinished at the close of the first part of your session, there is one measure of unknown and great interest to the State, which I consider it my duty to press upon your consideration. This is, the adoption of some System for the survey and sale of our public domain, which has heretofore been prevented, on account of the lien hanging over it, for the security of our public debt, which is now happily extinguished.

It seems to me that a System similar to that practiced by the United States, is the best that can be devised, and that the minimum price of their sale should be established at one dollar per acre, which is one fifth less than the minimum price of the United States, whose lands are generally far superior in value to ours

Any System that may be adopted should contain a provision for the protection of actual settlers, by which, when any lands are brought into market, they should have the first right to take, at their option a quarter or half a section including their improvement, at the minimum price established by law for their sale.

The proceeds of the sale of our public lands, I think should constitute a fund to be hereafter appropriated for purposes of education and internal improvements.

In connection with the adoption of any system for the sale of these lands, a law should be passed, limiting the time within which all claims upon them should be located and be secured or be thereafter forever barred.

There is no uncertainty in regard to the time when the act is to go into relation of the Judges of the Supreme and District Courts to take effect. One Judge was with the Northern in passage, who could not yet with propriety resign until eight days afterwards. Neither has an election been in passage and we depend for all the Judges of the Supreme Court, and most of the other Judges of the District Courts will hold office until the first Tuesday in August next. If therefore necessary, to avoid this inconvenience, either the passage of a law, declaring the act of the convention, or of the passage of a law declaring that the act shall take effect immediately.

I need not say to you, that a spirit of harmony and conciliation is important in all your deliberations, and I assure you that we shall most cheerfully cooperate with you in all measures calculated to promote the interests of our common constituents.

E. A. Rose

Executive Office
Austin, Texas, July 7th 1856.

Gentlemen of the Senate,
and of the House of Representatives.

I return herewith to the Senate in which it originated, "An act to incorporate the Trinity Valley Rail Road Company."

In the communication I had the honor to submit to you at the commencement of your session, I mentioned certain rules that I thought might to be adhered to in granting new Rail Road Charters, among which were the following, viz: "that no new charters should be granted to individuals for their own benefit, that they should be granted to commissioners, who should be required to open books for the subscription of stock, after giving public notice - no subscription should be received unless five per cent thereof is paid at the time of subscribing, and whenever an amount of the Capital Stock has been subscribed equal to one fourth or one twentieth of the Capital necessary to construct the road, the commissioners should be authorized to call a meeting of the subscribers and hold an election for officers after which the subscribers should become a corporation with all such powers as are set forth in the charter."

The Commissioners should have no rights under the charter except as trustees for the benefit of the subscribers when they organize and become a corporation, and should be liable to a heavy penalty for receiving subscriptions of stock without the payment of five per cent thereof in cash. The corporation thus organized should have authority, from time to time, to receive further subscriptions to its Capital Stock, to the full amount thereof, after giving public notice, the subscribers in all cases paying five per cent of their stock at the time of subscribing."

Subsequent reflection has strengthened my impressions of the soundness of these rules, and has satisfied me that they ought to be incorporated into every Rail Road Charter, since they will effectually prevent the sale of our Charters by the Commissioners to whom they are granted, a practice which it is well known has prevailed extensively.

The bill incorporating the Washington Lequeta Rail Road Company, passed at this session, contained

all the provisions here recommended, and it was approved by me, this act contains none of them; but grants the Charter to Commissioners who may use it for their own individual benefit, without regard to the public interest, and I feel unwilling to sanction any more charters of this character. I therefore return it to you for your reconsideration.

E. R. Rose

Executive Office
Salem, Oregon, July 7th, 1859.

To the President of the Senate
and House of Representatives

I herewith return to the Senate, in which it originated, "An act to incorporate the Jefferson and Wingville Gold Run Road Company."

This act is similar to the one incorporating the "Trinity Valley Race Road Company," heretofore returned herewith by me to you for reconsideration, and is liable to the same objections, viz, that it is granted to Commissioners who may use it for their own individual benefit, without regard to the public interest, instead of being granted to such Commissioners as trustees for the use of those who may subscribe and pay for Stock.

I am unwilling to become a party to any more of this kind of Legislation, which has brought our Railroad Charters into disrepute, and therefore return the act to you for your reconsideration.

E. R. Rose

Executive Office
Austin, Texas. July 1st 1856.

Gentlemen of the Senate
and of the House of Representatives

I return herewith to the House of Representatives, in which it originated, "An act to incorporate the Linden Academy."

The 10th section of this act, I think, conflicts with the 24th Section of the 7th Article of the State Constitution, which provides, that, "Every law enacted by the Legislature, shall embrace but one object, and that shall be expressed in the title."

The object expressed in the title of this act, is to incorporate the Linden Academy, but the 10th Section of the act regulates and controls the sale of Spirituous and Vinous liquors and cider within the Town of Linden and within three miles of the Court House in said Town, and also imposes a penalty for a violation of the provisions of the section and declares how the same shall be collected. These provisions are not necessary for the incorporation of Linden Academy, and they seek to effect an object which certainly is not expressed in the title of the act.

I also object to the 7th section of the act, which provides, "that the lands, public buildings and other property belonging to said Academy are hereby declared to be free from all and every kind of State, County or Corporate tax," we already have a general law which exempts from taxation, "all buildings, with their furniture and Library, designed and used solely for purposes of education or public worship, together with the lands owned by said institutions of learning or churches upon which the same may be situated, not exceeding two acres,".

This I think is a sufficient exemption from taxation, and in all that is usual together Academy in the State. These reasons have induced me to withhold my approval and to return you the act for reconsideration.

E M Pease

Executive Office
Austin, Tex. July 7th 1885.

Gentlemen of the Senate,
and of the House of Representatives.

I have transmitted to the Senate, in which it originated, "A bill relinquishing to the Counties the State tax, for the years 1885 and 1886."

I have not deemed it wise, the expenses of the Government must be borne to impede, as they have been for the first four years, out of the revenues received from the United States in the settlement of our Int. with it, and by reason of the fact, or the necessity of its receipt to the Treasury, the revenues, which amounted to about one and a half millions, dwindled in the close of the last fiscal year, will be reduced to about six hundred thousand annual. I deemed it proper, upon a consideration of the propriety, at the commencement of your session, that nothing has occurred to change the opinion then entertained.

This policy has now been pursued for four years, in defiance of and subjection to extravagant and improvident appropriations, both on the part of the State and the different Counties which have been the recipients of the taxes, very little attention is paid to the objects for which appropriations are made, or to their amount, so long as the means of paying them do not have to be provided by a tax on the people. A comparison of the appropriations made at the different sessions, will show that they have more than doubled since they have been paid from these bonds, and I see no means of checking this tendency to extravagance except a return to the system of paying the expenses of the Government from the proceeds of our State tax, when the appropriations will generally be limited to the amount to be received from that tax.

I still entertain the opinion, heretofore expressed, that it should be the policy of the State to appropriate these bonds for the establishment of a State University, Lunatic Asylum, and institutions for the

education of the deaf, dumb and blind, it is the duty of the State to provide such institutions, and it will have to be done sooner or later, if we fail to secure them now, by the use of these bonds, we shall have to do it hereafter by resorting to taxation.

A number of the largest taxpaying Counties, that will be the greatest recipients of this tax, have all their County buildings completed, are free from debt, and do not need the amount they will receive under this law. If there are other and smaller Counties that need assistance in erecting their County buildings, it will be a better plan to appropriate a sufficient amount for that purpose out of the State Treasury, we can thus insure the application of the money to these objects, while we continue this system of giving the State tax to the Counties, a large portion of it goes where it is not needed, and where much of it will continue to be wasted, as it has heretofore been, without effecting any permanent good.

Entertaining these opinions, I cannot approve this act, and therefore return it to you for your reconsideration.

E M Pease

Executive Office
Austin, Texas, July 11th 1856.

To the Hon: the Speaker, and Members
of the House of Representatives.

I have the honor to acknowledge the receipt of a resolution of your Honorable body passed on the 9th inst. requesting me, at the earliest opportunity to, inform the House of Representatives with all the information in my possession in reference to the building of the Governors house, the erection of the Dike for the dam, and also, as to the contract for building the New Land Office.

In reply to said Resolution, I beg leave to state that a report was drawn up during the past part of your session, by the Commissioners to superintend the erection of the Governor's house, showing fully their action as Commissioners up to that time, which report I supposed, until the receipt of this resolution, had been duly sent in to this Legislature, but I find on inquiry of the other Commissioners, that its transmission had been inadvertently omitted.

I now transmit said report together with a supplimental report which with the accompanying plans and specifications contain all the information in my possession in reference to that branch of the Resolution.

I also transmit herewith a report from the Commissioners to superintend the erection of the New Land Office, showing the action they have taken up to this time.

All of which is respectfully submitted

E M Pease

Executive Office,
Austin, Texas, July 17th 1856.

Gentlemen of the Senate,
and House of Representatives

On the 17th instant an act for the relief of the heirs of Carlos Espalier, which had previously passed both Houses of the Legislature was approved by me. By this act four thousand and thirty-six acres of land were granted to the heirs of said Carlos Espalier, for his head-right bounty and donation land in consideration of his having been killed at the Alamo under the command of Travis.

Since this act was passed, I have learned that a big quantity of land had been previously obtained from the State, by the heirs of Charles Espalier for his head-right, bounty and donation lands, as one of those who fell at the Alamo under the command of Travis.

Facts have come to my knowledge that induce me to believe, that Carlos Espalier and Charles Espalier were one and the same person, the former being the name in which he was called by the Mexicans and the latter by the Americans.

I am also induced to believe that the party who applied for and obtained this last grant to the heirs of Carlos Espalier, was acting under a mistake in regard to her being the heir of Carlos Espalier, and also in disclosing that no land had been previously obtained for his services.

Said last applicant is represented to have been the aunt and only living heir, the applicants who obtained the former grant were represented to have been the sisters of the deceased.

The name of Espalier appears on the roll in the Quard Office of those who fell at the Alamo with Travis, but there is no such name as Espalier on the roll.

I am well satisfied that the applicants for all of these grants were strangers as heirs of the deceased, and that the last grant had been improperly issued.

I respectfully recommend that your excellency be requested, and if the proper State authorities are present to be here, that you cause the proceedings,

repealing this last grant, and cancelling the certificates issued under it.

E M Pease

Executive Office
Austin, Texas, July 24th 1856

To the Hon.
The Senate of the State of Texas
Sent.

The following appointments of Notaries Public were made during your adjournment in February last, and I now send to your assembling on the 7th inst. & respectfully ask your advice and consent to them.

Austin County, Ch. St. Pierre vice Joseph H. Pierce, who refuses to qualify.

Bandera County, Vincent Kiffenbach an original appointment.

Calhoun County, Joseph H. Saunders vice A. McCorkle who refuses to qualify.

Chambers County, Hosf. Gower reappointed, his term having expired.

Collin County, Richard Fleming vice J. C. Easton resigned.

Comal County, Albrecht Dittmann an orig. appointment

Dewitt County, Wm. C. Lackey vice A. S. McCullough resigned.

Ellis County, John F. Perry, reappointed, his term having expired.

Fannin County, Thomas Reynolds, vice W. P. Chapman resigned.

Fayette County, James C. Gaither, reappointed his term having expired.

Galveston County, J. E. Ramp, vice F. Moore, who has left the County.

Goliad County, A. A. Smith, an original appointment

Guadalupe County, William A. Pitts vice Jas. M. Taylor, who has left the County.

Houston County, Stewart A. Miller, vice W. M. Taylor resigned.

Hill County. George P. Hart, vice W. E. Brotherington.
James L. Ratcliff, an original appointment.
Joseph P. Weir, " " "
Kerr County, Theodore Goldbeck, " " "
A. S. Stokes, " " "
Lampasas County, Isaac Wyatt. " " "

Liberty County, E. A. Stocking, vice W. J. Wills, who refused to qualify.
Madison County, L. A. Abercrombie vice A. A. Abercrombie whose name was confirmed by mistake.
Nacogdoches County, Nathaniel Amory, re appointed, his term having expired.
Parker County James A. Beeman, an orig.l appointment

Sabine County, Rastrau de W. Clusky, vice W. S. Summers removed.

Ellis Rise

Executive Office
Austin, Texas, July 21st 1856.

To the Hon.
The Senate of the State of Texas
I have made the following appointments of Notaries Public, to which I respectfully ask your advice and consent.

Aransas County, Seaborn Jones, an original appointment
Francis T. Ewing, " " "
Grimes County, Jeremiah Lee, vice Francis W. Warren, removed from the County.
Jasper County, James D. McMahon, an orig.l appointment
Jefferson County, Hugh Nisby, vice John R. Nisby, whose term has expired.
Parker County, John P. Cool, vice John C. Renton of the County.
Charles Gildow, an orig.l appointment.
William Fondren, " " "
Robertson County, Harrison Owen, reappointed, his term has expired
Runnels County, Harvey Hudson, " " " " "
Trinity County, Hugh Wm McGuire, an orig.l appointment
Young County, James M. Swindell " " "

Ellis Rise

The State of Texas

Whereas, a penal judgment was rendered by the District Court in and for the County of Smith in said State at its Spring Term in the year 1856 in favor of the State of Texas against William H. Benson for the sum of one hundred dollars and costs, for his failure to appear before the Grand Jury of said Court at its Fall Term in the year 1855, in obedience to a duly served summons; and whereas, a transcript of the record of said judgment has been furnished to me from which it appears by the affidavits of Doctor Morgan P. Ellis that said Benson was sick and under medical treatment during the said Fall Term of said Court for the year 1855, that he prescribed medicine for him the morning previous to his being summoned to go before said Grand Jury, and well knowing the situation of his health advised him by all means to return home and confine himself to his room or bed, and that as a Physician he believes that said Benson could not have appeared at the said session of said Court without jeopardizing and still further greatly impairing his health. And whereas, it seems to me that said affidavit ought to have been sufficient to excuse said Benson from attendance in obedience to said Summons.

Now, therefore, I, E. M. Pease Governor of said State by virtue of the authority conferred on me by the Constitution and laws thereof, do hereby remit the said judgment of one hundred dollars, leaving the said Benson still liable to pay the costs of said judgment.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin, this the 22° day of July A.D. 1856 and of the Independence of Texas, the 21st year.

Seal

By the Governor
Edward Clark
Secretary of State

E M Pease

Proclamation

By the Governor of the State of Texas

Whereas, by the act creating the Eighteenth Judicial District of the State of Texas, composed of the Counties of Atascosa, Medina, Bandera, Uvalde, Kinney, and Maverick, it is required that an election be ordered in said District, for a Judge and a District Attorney thereof.

Now, therefore, I, E. M. Pease, Governor of said State, do hereby order and direct that the Chief Justices of the several Counties of said District, or any two of the County Commissioners, if necessary, give due notice and cause polls to be opened at the different precincts of their respective Counties

On Monday, the 28th day of August, 1856, for the election of the said District Judge and District Attorney. They will make duplicate returns of said election, carefully sealed up; one of which they will transmit to the Seat of Government, directed to the Secretary of State, and endorsed "Election Returns of County for District Judge and District Attorney of the Eighteenth Judicial District," the other they will deposit in the office of the County Clerks.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin, this the 24th day of July, A.D. 1856, and of the Independence of Texas, the twenty-first year

Seal.

E M Pease

By the Governor
Edward Clark
Secretary of State.

Executive Office
Austin Tex. July 2d 1856

Gentlemen of the Senate,
and House of Representatives:

I transmit herewith a printed copy of the revised Statutes reported by the Commissioners to prepare a Code, amending, supplying, revising and arranging the laws Civil and Criminal, together with a report of said Commissioners, explanatory of the changes proposed in our present Statutes.

The report contains the views of the Commissioners and I commend it to your careful consideration.

In the end Codification is perhaps ripe for discussion by the Bar and Bench of the Legislature.

E M Pease

The State of Texas

Whereas, Vicente Gonzales was convicted of Murder in the second degree at a District Court held in and for the County of Nueces in said State on the 13th day of March A.D. 1850. and was sentenced therefor to be confined at hard labor in the State Penitentiary for the term of two years, where he has now been in confinement upwards of six years; and whereas, it has been made known to me that said Gonzales was persuaded upon to engage in the commission of said offence by the evil counsel and influence of another who was really the principal in the affair, and who escaped punishment; and whereas, it has also been made known to me that said Gonzales has been uniformly industrious and submissive to the rules of the Penitentiary for upwards of six years that he has now been in confinement.

Now, therefore, be it known that I, E. M. Pease Governor of said State, by virtue of the power vested in me by the Constitution and laws of this State, do hereby pardon the said Gonzales

for said crime, and direct the Keeper of the State Penitentiary and all others having the custody of said Dangaiex under said sentence to release him from all further confinement.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin, this the thirteenth day of July A.D. 1856, and of the Independence of Texas, the twenty-first year.

Seal.

By the Governor

Edward Clark
Secretary of State.

Eli Rise

Executive Office
Austin 15th July 1856.

To the Senate of the Legislature
and of the House of Representatives

I have examined an Act that originated in the House of Representatives entitled "An Act to incorporate the town of Macon and define the powers of said corporation" and I feel constrained to withhold my approval from it because it seems to me that it conflicts with the 20th Section of the 7th Article of our Constitution, which provides that "every law enacted by the Legislature shall embrace but one object, and that shall be expressed in the title."

The object of this Act as expressed in its title, is to incorporate the town of Macon and define the powers of said corporation.

The 19th, 20th, 21st, and 22d Sections of the Act contain provisions authorizing said corporation to prohibit the sale of spirituous and vinous liquors, except for Medicinal, Mechanical, Chemical and Sacramental purposes in the District of country between the Gilleaux Falls in said town of Macon, and the line of Crockett County on the North, and for five miles in every direction from said Masonic Hall, if a majority of the qualified voters

in said district shall vote in favor of such prohibition at an election to be ordered for that purpose by the Chief Justice of Polk County, and also imposing a penalty for the violation of said prohibition.

Had the operation of these provisions been confined to the corporate limits of the town, which are declared to be one mile square, the Act would not be liable to the objections here made. But this Act gives the corporate authorities power to Legislate for a large District of Country outside of the limits of the town.

In adopting this provision of the Constitution, it was evidently intended that the title of every law should give notice of the subject of which it treated. The provision is a good one, and had been considered necessary by the practice that prevailed extensively, under the constitution of the Republic of Texas, of including several different subjects in one law, while the title referred to only one, and that perhaps the least important.

In this case, no one would ever think of looking into a law to incorporate the town of Moscow, to find a general Statute prohibiting the Sale of Liquors at places five miles distant from the limits of the town in every direction.

If such a law is desired by the inhabitants of that Section of Polk County, let it be passed with an appropriate title.

For these reasons I return the Act to you for your reconsideration.

E M Pease

Executive Office
Austin Texas 18th July 1856.

Sir:

Mr. Shaw inclosed me a few days since, a copy of a letter from you to Hon R. M. T. Hunter Chairman of Committee of Finance in the Senate, in which you recommend the passage of a Joint Resolution authorizing the State of Texas to take up the residue of the claims for the Texas debt not heretofore presented at your department, and present them at the Treasury and receive the pro rata to which the claimants would have been entitled had they been presented within the time limited by your notice.

I am well aware of the impossibility of determining at your department what evidences of the debt of Texas are genuine, and concur with you in the propriety of having them not yet presented, ~~that~~ paid by this State, whose Officers can readily detect the spurious and forged claims that may be presented; but as it will probably be several years before all are presented, it would subject us to much trouble and expense to advance the money to the claimants, and then send the claims to Washington City and collect the amount advanced. I therefore suggest as the better course to pursue, that the residue of the seven millions seven hundred and fifty thousand dollars shall be paid over to Texas at once, upon her passing a law directing the same to be paid out of her Treasury pro rata to the claimants whenever they may present their claims with proper releases as required by your notice.

This will ensure the prompt payment of these claims when presented, and will give to Texas to whom it properly belongs any residue of the fund that may remain after all the claims have been paid. If there is any such residue, it will have been caused by the destruction or loss of the evidences of the debt, and Texas is the party entitled to the benefit that may accrue from such destruction or loss.

If the course here suggested meets your approval I will advise our Legislature to pass a law to give effect to it: when Congress can by a joint Resolution direct the amount to be paid over to this State to be disposed of in accordance with such law.

Yr. &c. E M Pease

To
Hon. James Guthrie
Secretary of the Treasury.

State of Texas

Whereas at the Spring term for the year 1855 of the District Court in and for the County of Upshur in said State, a judgement was rendered in favor of the State of Texas against John H. Bursley, Stephen Overstreet and Stewart R. Montgomery for the sum of One hundred dollars besides the costs upon a bond given by them for the appearance of said John H. Bursley at the Fall term of said Court for the year 1854, to answer to an Indictment for playing at a game with cards, upon which money was bet. And whereas it has been made known to me that, subsequently at the Fall term of said Court for the year 1855 the said Overstreet and Montgomery appeared before said Court with said Bursley, who plead guilty to said Indictment, and was fined therefor in the sum of Ten dollars and costs, for which said Bursley with Security confessed a judgement and obtained a Stay of Execution. Now therefore I, E. M. Pease Governor of said State by virtue of the power vested in me by the Constitution and laws thereof, do hereby remit the said judgement of One hundred dollars against the said Bursley, Overstreet and Montgomery, with the exception of such portion as will pay the commission allowed by law to the District Attorney, and also with the exception of the fees and costs taxed upon said judgement.

Seal

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be fixed, at the City of Austin this the 4th day of August 1857. and of the Independence of Texas the twenty first year.

E M Pease

By the Governor
Edward Clark
Secretary of State.

Executive Office
Austin Texas 4th August 1856.

Gentlemen of the Senate
and House of Representatives,

I have the honor to inform you, that about the month of March last, communications were received from the Settlements on the upper Blanco, Gaudalupe and Cumys Creek, complaining of their exposed situation and asking protection against the Indians, who committed frequent depredations about that time, in those Settlements and also in the settlements further West.

I replied to these communications, that no means had been placed at my disposal for the protection of the frontier, and advised them to organize a company of minute men for their own protection, and that I would urge the Legislature to compensate them for their services and expenses.

Acting upon this advice, a company was organized in the vicinity of Cumys Creek, a muster roll of which, together with an appraisement of their horses and arms was forwarded to me.

Since the meeting of the Legislature, I have received a communication from J. H. Sansom Captain of this Company, informing me that it had been discharged and enclosing a statement of the number of days served by each man.

I have enclosed herewith, the original petition for relief, a copy of my letter in reply to it, the original muster roll of the Company and appraisement of horses and arms, together with the communication of Captain Sansom informing me of the discharge of the men and the time they served, which papers are numbered from One to four. A similar Company was organized on Nueches and Sabinal Creeks in March last, of which John M. Davenport was elected Captain, I transmit herewith the letter of Captain Davenport advising me of its organization, and also an other letter from him of a more recent date, giving an account of a fight with the Indians. A letter was addressed to Captain Davenport of a similar character to that written to the citizens on the upper Blanco. More recently, a similar Company has been organized in Uvalde County of which Reading W. Black has been elected Captain, and I transmit herewith his letter informing me of the Organization.

I am well satisfied that these companies were actually necessary to keep the frontier settlements from breaking up, and they have done good service in its protection.

Several members of your own bodies are still engaged in

situation of the settlements where these companies were organized, and the necessity that existed for them. I trust that the Legislature will encourage such efforts on the part of our citizens to protect themselves, and will make provisions for paying them a reasonable compensation for their services and expenses.

E M Pease

State of Texas

Whereas at a District Court held in and for the County of Jackson in said State on the 4th day of April 1855. One Thos C. Flourney was convicted for an assault and battery and was fined therefor in the sum of One hundred and fifty dollars besides the costs, which conviction was afterwards taken to the Supreme Court of this State and there affirmed. And whereas it has been made known to me that said Flourney is or was at the time of said conviction a minor and has now no estate from which said fine can be collected, and that if it is paid it must be done by his father who is an estimable man and law abiding citizen.

Now therefore I, E. M. Pease Governor of said State by virtue of the authority vested in me by the Constitution and laws thereof, do hereby remit the said fine and the judgement rendered thereon, with the exception of costs of said judgement.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin this the Eighth day of October 1855, and of the Independence of Texas the twenty fifth year.

Seal

By the Governor
Edward Clark
Secretary of State.

E M Pease

Executive Office
Austin Texas Aug. 4th. 1856.

Gentlemen of the Senate
and House of Representatives.

I return herewith, to the Senate in which it originated, "An Act for the relief of individuals who settled as pre-emptors, or who made locations, by virtue of genuine certificates, within the Mississippi and Pacific Rail Road reservation, prior to the twenty first day of December A. D. Eighteen hundred and fifty three." I have examined this act with much care, with reference to the effect that it will have.

Its ostensible object, as expressed in its title, would seem to be, merely to give relief to pre-emptors and locators who had rights within the Mississippi Rail road reservation, at the time that reservation was made, but the Second Section of the Act goes much further, and gives a new right, to a class of locators, who had no rights in the reservation at the time it was made.

This Act has been examined by the Commissioner of the General Land Office, and he concurs with me in the effect that it will have.

So far as concerns the pre-emptors and locators who had subsisting rights in the reservation, at the time it was made, they were fully protected by the 19th Section of the Act that made the reservation.

The words of that Section are as follows, viz. "That this Act shall not be so construed as to effect any right of location or entry, pre-emption right or Survey heretofore acquired in the district of Country reserved and set apart for the use of said road."

The Commissioner of the General Land Office has always treated this Section, as protecting fully all rights of pre-emptors and locators in the reserve at the time it was made, and in all cases where the parties proceeded and took the necessary steps to perfect their rights they have been protected by him. If any of these persons have subsequently lost their rights by the fault or neglect of Surveyors, it is but just that they should be protected, and I would most cheerfully affix an Act giving them a further reasonable time to make good their rights. I would also affix an Act for the relief of all those who actually settled in the reservation

previous to the time it was made and their assignees. But as I understand this act, it also gives an additional eight months, in which to return their field notes to the General Land Office, to all these locators in the reservation who forfeited their rights by a failure to return their field notes to the General Land Office by the 31st of August 1853. as required by "An Act concerning Surveys of land" approved 10th. Feb. 1852.

These locators had no more right in the reservation at the time it was made, than any other person who held an unlocated land certificate, and I can see no good reason why they should now be given a right in the reservation which is not given to every other holder of a land certificate.

I wish my objections to this act to be distinctly understood, I do not object to so much of it as gives relief to every person who actually settled in the reservation previous to the time when it was made; or to his assignees. nor do I object to so much of it as gives relief to every locator who had a subsisting right in the reservation at the time it was made, even although he may have since lost his right, if such loss was occasioned by the fault or neglect of a surveyor, but I object to that part of this act, which gives a new right to that class of locators who had no subsisting right in the reservation, at the time it was made, because I think if the reservation is to be opened to a class of persons who had no subsisting right therein, when it was made, it ought to be opened equally to every person who holds a land certificate. These objections are not made with any expectation that they will prevent the ultimate passage of the act, but simply to place on record, the fact that it was not passed until after it had been fully explained. That it would give to a certain class of locators, rights in the reservation to which they have no claim when it was made, and which are not given equally to every other person who holds an unlocated land certificate.

E M Rose

Executive Office
Austin Texas
5th August 1856.

Gentlemen of the Senate
and House of Representatives

I beg leave again to call your attention to the fact that there is a portion of the creditors of the late Republic of Texas whose claims were presented to the Auditor and Comptroller, under an act to provide for ascertaining the debt of the late Republic of Texas, approved March 20th. 1848. and acknowledged at par, and an other portion whose claims were presented in like manner and acknowledged at 87 4/5ths cents on the dollar. These rates were higher than the parties have received under the pro rata distribution which has been made of the seven and three quarter millions of dollars by the United States under the Act of Congress of the 28th. February 1855. and the State of Texas still owes these parties the sum of One hundred and twenty three Thousand two hundred and Seventeen dollars and fifty six cents, over and above the amount they have received under that pro rata distribution, according to our own acknowledgement, as evidenced by the certificates of the Auditor and Comptroller and approved by an act of the Legislature. In proof of what is here stated, you are respectfully referred to the report of the Comptroller of public Accounts of this State dated 28th of November 1855. The parties have a just claim on the State for this difference. It is true they have consented to the settlement which has been made. That they have received their pro rata amount of the fund distributed among the creditors, and have filed their release of all claims against Texas and the United States. We might plead these releases against this claim, but would it be honorable for the State of Texas to do this, while her own Statute book contains an acknowledgement that she owes the amount? When I recommended the acceptance of the act of Congress for the settlement of this debt it was accompanied with a recommendation that this amount should also be paid. Texas has already received into her Treasury the sum of five hundred

and ninty nine thousand one hundred and forty dollars and ninty seven cents under the Act of Congress referred to, from which it was supposed she would pay the difference due to these creditors.— When we shall have paid this amount we shall stand before the world in the proud attitude of having paid every dollar of our Revolutionary debt; leave this unpaid and our enemies will point to our own Statute book for proof that we have failed to pay $123 217 35/100 which we acknowledged that we justly owe.

E M Pease

Executive Office
Austin Texas
5th August 1850.

To His Excellency
H V Johnson
Governor of the State of Georgia

Sir:

I have the honor to transmit herewith, a certified copy of an Act recently passed by the Legislature of this State entitled "An Act making an appropriation for compensation for arms lost by the Georgia Battalion at the Massacre of Goliad". This Act was passed in consequence of representations that certain arms belonging to the State of Georgia were taken by the Georgia Battalion brought to Texas in the year 1836. and afterwards surrendered with that Battalion to the Mexican Army.

You will see from the terms of the Act that it is made my duty to ascertain from you how much the State of Georgia demands for these arms, and upon ascertaining how much is due for them, to draw on the Treasurer of the State in favor of the party entitled to it, for the amount ascertained to be due; not exceeding the sum of Three Thousand dollars.— I should be pleased to hear from you on the subject; and am prepared to carry out the objects of the law, whenever proper vouchers shall be presented, showing the number and value of the arms and who is entitled to receive the value.

Very respectfully
Your Obt. Svt.
E M Pease

Executive Office
Austin Texas
9th August 1855.

Gentlemen of the Senate
And House of Representatives

The large appropriations of money which were payable at the State Treasury, after the adjournment of the Legislature in February last, exhausted all the coin in the Treasury, and some means had to be resorted to for procuring coin or the Treasury had to stop payment, until a sale could be effected of United States bonds, under the provisions of an Act approved 6th February 1852. authorizing a sale of a portion of the bonds which required at least two months. Under these circumstances the Treasurer raised such an amount of coin as he could, by private loans, but this proves insufficient. And to prevent a stoppage of payments at the Treasury, The Comptroller with my approval entered into an agreement with Messrs Swenson and Swisher, by which they were to furnish, at least One hundred Thousand dollars in coin to the Treasurer as it might be needed previous to the time when a sale could be made of United States bonds.

In order that the State should not be chargeable with interest upon the coin advanced, Messrs Swenson and Swisher were furnished with United States five per cent bonds corresponding to the coin advanced, for which they were to allow a premium equeal to the highest bid for said bonds at the sale to be made thereafter under the act referred to.

To carry out this arrangement, Mr. Swenson went immediately from this place to New Orleans, and brought out the requisite amount of coin, and he furnished the State with One hundred and twenty thousand dollars at different dates between the 9th of February and 22nd of March last.

At the time this arrangement was entered into, it was agreed that the compensation to Messrs Swenson and Swisher for their services and expenses should be left for the action of the Legislature upon a representation of the facts.

I transmit herewith, a Statement from the State Treasurer and a memorial from Messrs Swenson and Swisher concerning this transaction. This communication has been delayed until this late period of your Session, with the hope that the Comptroller would return to join in representing the facts to your honorable body but as it is now probable that he will not return until after the period of your adjournment, when it will be too late for your

it, it has been thought best not to delay it any longer.
The transaction is submitted to your consideration with the recommendation that a joint committee of the two Houses be appointed to investigate the facts concerning it, and that provisions be made for the compensation of Messrs Swinson and Swisher.

E M Pease

Executive Office
Austin Texas
14th August 1856

Gentlemen of the Senate
and House of Representatives

I transmit herewith for the information of the Legislature a copy of a letter from the Financial agent of the State Penitentiary, in relation to the charge which has been made at that institution for the admission of visitors.

E M Pease

Executive Office
Austin Texas
14th August 1856

Gentlemen of the Senate
And House of Representatives

I herewith transmit to the House of Representatives, in which it originated, "An Act to incorporate Jamestown Academy"

The 4th Section of this act provides "that there shall be no liquors or fermented Spirits sold or vended within one mile around from said Jamestown Academy"

I think this provision is in conflict with the 5th Section of the 7th Article of the Constitution, which declares that "every law enacted by the Legislature shall embrace but one object, and that shall be expressed in its title."

The title of this certainly does not indicate that its object is to prohibit the sale of liquor in any part of the State. This being a private act will not be published in the Volume of general laws, so that its existence may not be known to those living in the vicinity of the Academy until

they are prosecuted for its violation. This would be a sufficient objection to the enactment, in this form, of the provisions quoted above, even if there were no constitutional objections to it.

If such a provision is desired by those interested in the Academy, let it be enacted with a proper title, so that it will be published among the General Laws.

E M Pease

State of Texas.

Whereas at the Fall term for the year 1853 of the District Court in and for the County of Rusk in said State a judgement was rendered in favor of said State against William C. Barry as principal and Henry Berry and John B. Benfro as his securities for the sum of five thousand dollars besides costs, upon a bond given by the said William C. Barry as principal and the said Henry Berry, John B. Benfro, D. M. Benfro and John H. Lyles as his securities for the appearance of said William C. Barry at the Spring term of the year 1855 of the District Court of said County of Rusk to answer to a charge of Murder. The said D. M. Benfro and John H. Lyles having died before judgement a discontinuance was entered as to them. And whereas it has been represented to me that the said John B. Benfro has but little if any property more than is exempt from execution, and that it will take all the property of said Henry Berry to pay said judgement, as the said principal is insolvent and has fled the State.

And whereas it has also been made known to me that said Henry Berry is a good citizen, is in the decline of life and has a wife and eight children to support, and whereas I do not believe it should be the policy of the State to enforce the collection of said judgement, when the consequence will be, that a worthy citizen with a large family are to be left without any means of support.

Now therefore considering the premises, I E. M. Pease Governor of said State by virtue of the authority vested in me by the Constitution and laws thereof, do hereby remit the said judgement so far as it affects the said Henry Berry, with the exception of the sum of [illegible] hundred and fifty dollars due to the District [illegible] as his commissions for the recovery of said judgement.

and also the further sum of One thousand dollars of said judgement and the costs taxed thereon. and upon the payment of said sum of Two hundred and fifty dollars to said District Attorney and the further sum of One thousand dollars to the County of Rusk and the costs taxed on said judgement. this instrument shall operate and have the effect of a remission of all the residue of said judgement so far as it creates any liability against said Henry Berry.

SEAL

In testimony whereof, I, have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin this the 15th day of August A.D. 1856, and of the Independence of Texas the twenty first year.

By the Governor
Edward Clark
Secretary of State.

E M Pease

Executive Office
Austin, Texas
31st. July 1856.

Gentlemen of the Senate
and House of Representatives

I return herewith "An Act to incorporate the Austin City Bridge Company"

This act authorizes the corporation created by it, to construct a bridge across the Colorado River any where in the limits of the City of Austin or the town tract adjoining, within five years from this time; these limits have a front on the river of about two miles, and this Charter in effect, gives this company the exclusive privilege of building a bridge any where in these limits for five years, because until this company shall have erected its bridge, its right extends over the entire limits named. I think this Company ought to be required to designate the site of its bridge, within one or two years at the most; for it is by no means improbable that long before the expiration of five years a company may be organized who will undertake the construction of a

bridge within these limits, for the privilege of charging half the rate of toll that this Company is authorized to charge.

Another serious objection to this charter is, that it has fifty years to run, and the tolls are established for all that time, at rates suited to the present travel, in all such charters, the right to change and regulate the tolls from time to time, should be retained by the Legislature.

These matters may be thought by some, not worthy of consideration at this time; but should it so happen that this company shall select the only suitable site for the erection of a bridge in the vicinity of this City, and acquire the right of exacting tolls for fifty years at rates which will hereafter be considered exorbitant, the question will be asked, why proper restrictions were not placed in this charter, to protect the public from imposition and extortion.——Being unwilling to approve this charter without the restrictions indicated, it is returned to you for reconsideration.

E. M. Pease

Executive Office
Austin Texas
16th August 1856.

Gentlemen of the Senate
and House of Representatives

I return herewith, to the Senate in which it originated, "An Act supplemental to an Act to incorporate the Aransas Road Company" approved February 4th 1852.——Upon referring to the original Act to which this is a supplement, I find that it incorporates a company by the name of "The Aransas Road Company" and gives said company the right to construct and maintain a principal Turnpike road from any point on or near Aransas Bay or any arm thereof to any point within or near the town of Goliad; and also any turnpike branches or extensions of the principal road in such directions and to such distances as the Company may think proper; and may at any time on or near the track of any part of the principal turnpike as a substitute for such part, construct and maintain a mile road, with the privilege of [illegible]

extensions therefrom either by turnpike or Rail-road."
It also grants to said company Eight Sections of land of six hundred and forty acres each for every mile of rail-road actually completed and ready for use; the certificates therefor to be issued for each five miles or more of said road as the same may be completed and ready for use, and to be located upon any public domain of the State within twelve months from the issuing thereof. The said principal turnpike to be commenced by the first day of January 1853 and be completed so that the road should be ready for use within three years the extension of the charter to be void.
It says a certain time for play with these conditions and the charter therefore is now void.

This supplemental act extends the time for constructing the principal turnpike until 1860, and also extends the time to change the same into a rail-road until 1865. It also gives the said company in addition to the rights and privileges of the original charter the further right to improve the Ship Channel between the Spanish bar and the Corpus Christi Pass and State be deepening the present Channel or by making a new one, to any part of greater depth, and to connect the company's turnpike roads with said Ship Channel by roads or roads, and to make and keep the roads through tide water where necessary, and to maintain piers over-flow any lands subject thereto, that may be connected with any such road: provided that the company shall make and maintain a drawbridge on any such road of such size as may be necessary over any navigable channel; and that such connection between the mainland and said Ship Channel by one road at least, and the road across Mansfeld reef according to the charter shall be made before the first day of January 1860. The company for any of its improvements to have the right of way and of obtaining on any public lands, whether covered by water or not, and right of procuring any flats, shallows, reefs and islands covered with water or near to any of said roads between the mainland and main shell, exclusive of the large islands fronting on the latter, and at any other place where such roads may be made through tide-water, and to own such roads, other than a rail-road, the company may require such lands by location pursuant and have on any valid land claim, in the usual

made, within the distance of one mile from said road; and in case any such road shall be a good and substantial railroad with suitable iron rails, the company may acquire such lands, by survey and patent, without any other claim within the distance of two miles from such railroad, to the aggregate extent in quantity of sixteen sections of six hundred and forty acres each for every mile of such railroad completed and equipped for use; and if only part of that quantity shall be taken within the bay, the remainder of that quantity may be surveyed and patented for the company in the usual mode, but without any other land claim, on any vacant land subject to ordinary appropriation within the distance of seventy five miles from said Railroad; and the grants for land for such railroad shall be made in other respects on the terms specified in the original Charter for granting lands for making a railroad.

The company's system of roads to be restricted to the principal turnpike from Goliad to the coast terminus, and a branch or extension therefrom to a point on the Rio Grande at or near to Cariso."

I have been thus particular in detailing the privileges of this Company in order that my objections to the act may be understood. The original charter having become void by the failure of the company to comply with its requirements. The effect of this act is to create a new corporation, and it ought to be subjected to the same restrictions as other railroad companies chartered at this session. No railroad charter has yet become a law at this session in which the commissioners are vested with any rights, except as Trustees to receive subscription of Stock upon the payment of five per cent thereof in cash and to organize the corporation after a certain amount of Stock fixed by the charter, has been subscribed upon those terms. There is nothing in this supplement or the original charter which this act revives, that will prevent the commissioners from using the powers vested in them for their individual benefit, regardless of the public interest.

This was the principal reason why the acts incorporating "The Trinity Valley Rail-road Company" and "The Jefferson and Dangerfield Rail-road Company" were returned to your honorable bodies with my objections to both of which objections I have been sustained by the Senate.

act is, that the company is authorized to receive sixteen sections of land for each mile of railroad constructed as fast as any section of five miles shall have been completed and ready for use: while the sixteen section law, as it is called, gives to no other company any right to land under it until a "section of twenty five miles shall have been completed and ready for use.

All other companies whose terminus is on the Gulf coast, or the bays thereof, are required under the sixteen section law to construct their roads at the rate of twenty five miles each year after having completed the first twenty five miles; under this act, this company is entitled to the sixteen sections a mile without being subject to that provision.

No other company in the State can avail itself of the sixteen section law, except it surrender for the State the same number of sections it takes for itself; under this act this company is relieved from that condition. It is not required to leave alternate sections for the State, but may locate its certificates any where within twenty five miles from the line of its road, and this line may be from Pensacola bay to Santa Rosa island, and from Apalachee bay to the Rio Grande.

Another objection to this act is, that it gives to the company sixteen sections of land for each mile of railroad constructed, instead of leaving the company to obtain its lands under the sixteen section law.

Whenever the government organizes a contract is created between the government and the State, by which the company has a vested right to that amount of lands upon the terms named in the charter and the State must take away this right, without making compensation for it.

This is not the case with the sixteen section law, it is a general law to encourage the construction of Railroads which can be repealed at any time, and the Railroad company will have no claim against the State, after its repeal, except for the road they may have completed heretofore. There are many other objections to this act which I have not time here to refer to but those I have mentioned are sufficient to justify its rejection.

Please return it to me for some reconsideration.

E W Pease

Executive Office
Austin Texas
August 19th. 1856.

Gentlemen of the Senate
and House of Representatives.

I return herewith, to the House of Representatives, in which it originated, An Act authorizing John Mooney to construct a dam across San Marcos River, cut a race from the same on the east bank of said River and to erect Mills and Factories thereon." The Second Section of this Act provides "That the said Mooney shall have the power and right to connect the opposite bank of the River San Marcos with the Mill dam connected with said Mill and Factory, and to use the opposite bank of said River for any necessary purpose within the scope of this charter; Provided that said Mooney shall pay the owner or owners of said opposite bank such damages for the use of the same, as a jury of six men selected by the County Court of Gonzales County shall on their oaths assess.

An examination of the entire act will show that it is solely for the benefit and profit of Mr. Mooney, and the section quoted gives him the right to appropriate the property of an adjoining proprietor to his own use and profit, without first obtaining the consent of the owner.

The Legislature may take and appropriate individual property, for the accommodation of the public without the consent of the owner, if they make adequate compensation for it. But there is no ~~better~~ better principle established than, that individual property cannot be taken or appropriated for private use without the consent of the owner. This act attempts to violate that principle, and is therefore unconstitutional. It is not very material to the party whose rights are invaded by this act, whether this objection is sustained or overruled by the Legislature, except that if it is sustained, it will save him the trouble and expense of applying to the Courts for an injunction. It is better even that an act which authorizes such a glaring invasion of private rights, should not be placed upon our Statute Book. I therefore return it to you for your reconsideration.

Elisha Pease

The State of Texas

To all to whom these presents shall come

Greeting.

Knowye that placing special trust and confidence in the integrity, diligence and discretion of Robert J. Torres Esq. I do hereby appoint him a Trustee under the provisions of "An Act to establish an Institution for the Blind" approved 16th August 1856: and I do hereby authorize and empower him to execute and fulfill the duties of this appointment according to law, for and during the term of four years from the date hereof: unless sooner removed by the Governor of this State for the time being.

In testimony whereof I have hereunto signed my name and caused the Great Seal of the State to be affixed at the City of Austin this the 19th day of August A.D. 1856 and of the State Independence the twenty first year.

(Seal)

By the Governor

Edward Clark

Secretary of State.

E. M. Pease

Note.

Similar appointments have been made out for John Caldwell, Jesse H. Nachas, E. B. Burleson and J. A. Sanderson.

Executive Office
Austin Texas
23rd August 1858.

To the Senate
And House of Representatives

I have examined with great care, an act that originated in the House of Representatives, entitled "An Act to relinquish the right of the State to certain lands therein named".

The object of this act is to release the right of the State to sixty different tracts of land situated in the Counties of Nueces, Webb, El Paso, Kinney, Starr, Hidalgo and Cameron, accounting in the aggregate, to over two hundred and five leagues, or over Nine hundred Thousand acres in English measure.

I have doubts in vain for such information in regard to the rights of the persons in whose favor these lands are released, as would justify me in coming to a conclusion whether they have a just claim for them or not.

The reports of the Select committees in neither House of the Legislature, state whether these claims are perfect or imperfect titles, nor whether the evidence presented in support of them is verbal or in writing. It will be recollected that an Act was passed on the 14th February 1854. to provide for the investigation of land titles in these Counties, by which two Commissioners were to be appointed who were required to visit those Counties and receive all claims for lands presented to them, together with the evidence in their support; they were also required to investigate these claims in accordance with the principles of justice and report the cases for confirmation where the titles were perfect, or where imperfect, where the same might have been matured into a perfect title under the laws, usages and customs of the Government under which it originated, had the Sovereignty over the same not passed to and been vested in the Republic of Texas, provided such title or inchoate title might was originally founded in good faith. Under this Act Charles S. Taylor Esq of Hardeman County and R. H. Lane Esq of Fannin County were appointed Commissioners; they entered on the discharge of their duties and made a report to the Executive of their proceedings in the month of November last; this report, together with the claims presented to them, and the evidence in support

of each, were transmitted to the Legislature at an early day of the first part of your present session.

Those commissioners recommended for confirmation, but a part of the claims presented to them; and those so recommended for confirmation, form but a very small portion of the claims confirmed by this Act.

I find too that a great number of the claims confirmed by this Act were never presented to said Commissioners.

Had this Act only confirmed the small number of claims that these commissioners recommended for confirmation I should have felt no hesitation in approving it. But I do not feel that I would be justified in approving land claims to the amount of Nine hundred thousand acres, when most of these claims originated under the laws and customs and usages of other governments to which I have not access and when the merits of these claims depend upon a mass of testimony which I have not been able to obtain, and which, if it had been before me, would have required months of patient and laborious investigation to form an opinion upon, that would be satisfactory to myself.

I therefore return the Act to you for reconsideration.

E M Pease

Executive Office
Austin Texas, 23d Aug. 1856.

Gentlemen of the Senate
and House of Representatives.

I return herewith to the House of Representatives in which it originated "An Act to create the County of Hardin".

I, learn, on examination at the General Land Office, that the County proposed to be created, by this act contains less than Six hundred Square miles. The constitution, according to my view of it, does not authorize the creation of a new county containing a less area than nine hundred Square miles. A similar act was returned to the Senate with this objection at the first part of the present Session and the objection was there sustained.

Believing this act to be unconstitutional, I return it to you for your reconsideration.

E M Pease

Executive Office
Austin Texas, 26th. Aug. 1856.

Gentlemen of the Senate
and House of Representatives

I return herewith to the Senate, in which it originated "an act to create the County of La Salle."

I am informed by the Commissioner of the General Land Office, that the County proposed to be made by this act, takes so much of the County of Gillespie as to reduce it below the area of Nine hundred Square miles.

The 34th. Section of the 7th. article of the constitution declares, "that no new county shall be established which shall reduce the County or Counties or either of them, from which it shall be taken, to a less area than nine hundred Square miles; unless by consent of two thirds of the Legislature." This act does not appear ever to have received the assent of two thirds of either House of the Legislature, and does not therefore come to me in such a manner that I am authorized to act upon it.

Ed Pease

Executive Office
Austin Texas Aug. 26. 1856.

Gentlemen of the Senate
and House of Representatives

I transmit herewith, for the information of the Legislature, a letter from James B. Shaw Esq. Comptroller of public accounts, which was received at this Office last evening, from which it will be seen, that the United States Congress has passed an Act extending the time for the payment of the Texas debt (under the Act of Congress of 28th February 1855) until the first day of January 1857, after which time, any residue that may remain of the fund of $7,750,000 00/100 is to be divided according to all the creditors whose claims are filed with the Secretary of the Treasury up to that date.

The effect of this Act of Congress will be, to cut off forever any payment whatever, all those creditors of Texas, whose claims may not be filed with the Secretary of the Treasury prior to the first day of January 1857. Our Act requesting the [illegible] Congress of the 28th of February 1855 was [illegible] as to prevent [illegible]

and description of debt are considered as coming within the provisions of the act of Congress of the 28th of February 1855, and then consents that the $7,750,000 00/100 appropriated by Congress shall be apportioned pro rata among the holders of the debt as recapitulated.

It was foreseen by us, that a portion of the debt might not be presented at the United States Treasury within the time limited and our act of acceptance was thus framed, in order that the pro rata of these creditors whose claims might not be filed in time, should remain in the United States Treasury to be paid to them whenever they should afterwards file their claims. This view of the subject was fully presented by me to the Secretary of the Treasury, in a letter of the 5th of February last, in closing him a certified copy of our act of acceptance, a copy of that letter is herewith transmitted.

I also transmit a letter from the Secretary of the Treasury dated 1st of March 1856 in reply to my letter of the 5th of February in which he expresses his concurrence with the construction placed by us on said Act of Congress, and at the expiration of the term limited for the presentation of the debt, he proceeded to apportion the fund of $7,750,000 00 among all the creditors described in our act of acceptance, and paid those whose claims were presented in time; in accordance with that apportionment, retaining in the Treasury the pro rata of those whose claims had not been presented. The account of the fund thus retained in the Treasury, belongs justly to those creditors whose claims were not filed in time, and neither the Secretary of the Treasury nor Congress have any right to make any other application of it. These claims are equally as meritorious as those which were filed in time and received their pro rata.

I concur fully with the opinion expressed by Mr. Shaw in his letter, that this act of Congress diverting the residue of this fund from the payment of those creditors whose claims were not filed in time, is a violation of our act of acceptance, and that the Legislature should protest against it, and declare that we hold the United States responsible for diverting this residue of the fund from the purposes to which it is applicable under our act of acceptance.

This matter is submitted to your consideration, with the full belief that you will take such action in regard to it before your adjournment, as the honor of the State appears to demand.

E M Pease

Executive Office
Austin Texas, August 28. 1866.

Gentlemen of the Senate
and House of Representatives

A Joint Resolution was passed on the 13th of February 1854. appropriating one thousand dollars to build a Tomb over the Grave of General Edward Burleson, and the Governor was required to carry the Resolution into effect.— I found upon making inquiry of those who are familiar with such matters, that a suitable Tomb of durable materials could not be erected for the amount of the appropriation, and I have therefore taken no further action in regard to it.

At the passage of this Resolution a cheap Monument was being constructed by the family of the deceased, which has since been completed, but is without an enclosure, so that it is liable to be broken and destroyed.

This matter is now submitted to your consideration, in order that if you see proper, a further appropriation may be made sufficient to erect a durable monument worthy of the deceased.— If this is not done, I would recommend that the appropriation heretofore made, shall be applied to pay for the monument already erected by his family, and to enclose the ground around it with a neat iron railing.

E M Pease

Executive Office
Austin Texas, 28. August 1856.

Gentlemen of the Senate
and House of Representatives,

I return herewith to the House of Representatives in which it originated, "an act for the relief of George Grounds"

This act grants to him a certificate for one League and labor of land.

I have been informed that Mr Grounds formerly made an assignment of his Headright. That the assignee applied to the Board of Land Commissioners in Shelby county and obtained a certificate for one league and labor of land. That the traveling Commissioners failed to recommend his certificate for patent, because Mr Grounds had left the Country and the assignee subsequently instituted a suit in Shelby County District Court for the establishment of it, but failed to obtain a verdict in his favor, for the same reason that the traveling board refused to recommend it.

These facts were communicated to me by respectable authority, and I have no cause to doubt their truth. Should the House desire to investigate them, I will cheerfully furnish to a Committee the name of my informant. With this information before me, I consider it my duty to return the Act to you for reconsideration.

E M Pease

Executive Office
Austin Texas, 28. Aug. 1856.

To
William Fields Esq.
State Engineer.

Whereas notice has been given to this Office, by the Galveston and Red River Railroad Company, that said Company had on the 29th day of July 1856 completed and put in running order a Section of twenty five miles of said Railroad. This is therefore to require you, to proceed and examine said Section of road, and report to this Office under oath, all such facts as are necessary to determine whether said road has been constructed in accordance with the provisions of the Charter of said Company, and of the General laws of the State now in force regulating Railroads.

In order that you may ascertain what facts are necessary to be reported you are referred to the following laws which are all that have any bearing on the subject.

1st. "An Act to establish the Galveston and Red River Railway Company" approved March 11. 1848, Special Laws, 2nd Legislature page 370.

2nd "An Act to amend An Act to establish the Galveston and Red River Railway Company" approved February 11th. 1850. General Laws, 3rd Legislature regular Session page 208.

3rd "An Act Supplementary to the Act to establish the Galveston and Red River Railway Company" approved February 14th 1852. Special Laws 4th. Legislature regular Session page 142.

4th. "An Act Supplementary to the Acts to establish the Galveston and Red River Railway Company" approved February 7th. 1852. Special Laws Extra Session 4th. Legislature; page 36.

5th. "An Act for the relief of the Galveston and Red River Railway Company and Supplementary to the Several acts incorporating said Company" approved 23d January 1856. Special Laws 6th. Legislature, regular Session page 28.

6th. "An Act to regulate Railroad Companies" approved February 7th. 1853. General Laws, extra Session 4th. Legislature page 55.

7th. "An Act to encourage the construction of Railroads in Texas, by donations of lands" approved January 30th. 1854. General Laws 5th. Legislature, page 11.

8th. "An Act to amend the 22d Section of an Act to regulate Railroad Companies." Approved February 7th. 1853. Approved February 11th. 1854. General Laws 5th Legislature page 95. You will report particularly

1st. The actual length of railroad constructed.

2nd. How much of it was completed and in running order previous to the 31st day of July 1856.

3rd. The actual weight of the iron rails with which said road is constructed.

4th. Whether said road has been completed in a good and substantial manner.

It is not intended that your examination and report shall be confined to the particular matters above enumerated, but it is expected that you will examine into and report upon all such facts as may be necessary to determine whether said company is entitled to receive from the State the Sixteen Sections of land per mile for the roads they have constructed — as regard to all such facts as cannot be verified by you personally; you will cause to be taken the affidavits of at least two disinterested and credible persons and return the same with your report.)

E M Ruse.

Executive Office
Austin Texas 30th Aug. 1858.

Gentlemen of the Senate
and House of Representatives

I return herewith, to the House of Representatives, in which it originated, "An Act to incorporate the Mexican Gulf and Rio Grande Rail Road Company"

This act creates a Railroad corporation to consist of certain persons therein named, who may proceed and organize before any Stock is subscribed for or any capital is paid in.

They are also authorized to dispose of Stock as they may think proper. Two charters similar to this were returned to the Senate, without approval, at an early day of the Session, to both of which this formed the principal objection. The objection was sustained by the Senate in both cases, and since that time no railroad Charter has been presented to me, under which an organization can take place until there has been an actual subscription of Stock and a portion thereof has been paid in cash, nor under which any Stock can be issued except a portion thereof is paid in cash at the time it is issued, or except it is issued for materials or labor or for the debts of the Company. There are other objections to this act which I have not time to detail; but these are sufficient to induce me to return it to you for reconsideration.

E M Pease

Executive Office
Austin Texas, Aug. 30th 1856.

Gentlemen of the Senate
and House of Representatives

I have examined with care an Act which originated in the House of Representatives, entitled "An Act to provide for the safe keeping of the Capitol and furniture, and to define the duties of the Secretary of the Senate and Chief Clerk of the House of Representatives."

This Act makes the Offices of the Secretary of the Senate and Chief Clerk of the House of Representatives, permanent Offices, with a Salary of One thousand dollars a year each, besides their per diem pay of five dollars during the Session of the Legislature.

The duties which this Act imposes upon these officers, in addition to their ordinary duties during the Session of the Legislature are— 1st to record the Journals of the 6th Legislature in bound books, attaching thereto a full and complete index. 2d To make an index of all the papers connected with each House from the organization of the Republic to the present time. 3d To take charge of the Capitol Grounds and superintend the preservation of the furniture belonging to the Capitol, except such rooms in the same as have been otherwise provided for by law. 4th To make all necessary purchases of Stationary for the use of the Legislature and attend to the fitting up of the Capitol for the meeting thereof. 5th To make an index of all relief laws passed since the date of the Consultation to the present time; stating briefly the character of relief granted.

I can conceive of no advantage to be derived from the 1st duty of recording the Journals of each House in a bound book, the record when made, will be no more than a manuscript copy of the Journals, which will not be as good evidence in law as the printed Journals which are published under the authority of the Legislature. Those printed journals are the only ones that are ever referred to, and are better evidence of the proceedings than any thing else, except the original journals as made up by the Clerks from day to day.

The second duty of making an index of all papers connected with each House from the organization of the Republic; ought to be performed by a good Clerk in one

months time, at least of all such papers as are of any value to the State or any body else.

The 3rd duty was performed for several months previous to the commencement of your last November Session and well performed too, by a man who remained at the Capitol most of the time day and night, for the sum of Fifty dollars a month.

The 4th duty has been heretofore performed by the Comptroller of Public Accounts, and well done too, at no other cost to the State than the amount paid for materials and actual labor.

The 5th duty involves no more labor than making an abstract of the manuscript relief laws in the Secretary of States Office, and can be performed by a good Clerk in one month. It has been usual to allow the Secretary of the Senate and Chief Clerk of the House about one month pay after the close of the Session in which to complete the journals and to file and arrange the papers; and this time has been sufficient in every case where these Officers have given any attention to it.

It will thus be seen, that all the duties assigned to these Officers from which the public are to derive any benefit may be well performed for not exceeding Sixteen hundred dollars for two years, while under this act it will cost the State Four thousand dollars for two years.

It is true the amount to be saved will be but Twenty four hundred dollars; but the principle is one of same importance, whether two permanent Offices shall be created, which it will be difficult hereafter to abolish.

These considerations compel me to withhold my assent from this act, and it is returned to you for reconsideration.

E M Pease.

Proclamation

Whereas by a law of the 6th. Legislature, passed on the 1st day of September, 1856. an election is required to be held on the 1st Monday in October, 1856, for the election of a Judge and District Attorney for the 17th Judicial District, embracing the counties of Williamson, Burnett, Llano, San Saba, McCulloch, Brown and Lampasas.

Now, Therefore, I, E. M. Pease, Governor of said State of Texas, do, by virtue of the authority vested in me, hereby order and direct the Chief Justices of the several Counties of said 17th Judicial District of the State, or two of the County Commissioners, if necessary, to give due notice, and cause polls to be opened at the precincts of their respective counties on the said 1st Monday – the 6th day – in October, 1856, for the election of a District Judge and a District Attorney for said 17th Judicial District.

The Chief Justices of the several counties of said Judicial District, or two of the County Commissioners, if necessary, will make duplicate returns of said election, carefully sealed up; one of which they will transmit to the Seat of Government directed to "The Secretary of State," and endorsed, Election returns of _____ County, for Judge and District Attorney of the 17th Judicial District; the other they will deposite in the Office of the County Clerk.

SEAL

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin, this the 1st. day of September A. D., 1856, and of the Independence of Texas the 21st year.

By the Governor

E M Pease

Edward Clark,
Secretary of State.

The State of Texas.

To all and singular the Sheriffs, Constables and other civil Officers — Greeting

Whereas it has been represented and made known to me by Herschel V. Johnson the Governor of the State of Georgia that Henry H. Lumpkin late of said State of Georgia stands charged by Indictment, found in the Superior Court of the County of Carroll in said State of Georgia, at the December term 1855, "with the crime of Larceny after trust," and that the said Henry H. Lumpkin has fled from justice in said State and taken refuge in the State of Texas; and whereas the said Governor of the State of Georgia in pursuance of the Constitution and laws of the United States, has demanded of me that I cause the said Henry H. Lumpkin to be arrested and delivered to Robert H. Springer, the duly authorized agent appointed by the said Governor of the State of Georgia to receive the said Lumpkin into custody and convey him to the State of Georgia — and whereas the said representation and demand are accompanied by a Copy of said Indictment duly certified as authentic by the said Governor of the said State of Georgia.

Now therefore, I, E. M. Pease Governor of the State of Texas, do by virtue of the authority vested in me by the Constitution and laws of this State, and of the United States, issue this my warrant, commanding all Sheriffs, Constables and other Civil Officers of this State, to arrest, and to aid and assist in arresting the said Henry H. Lumpkin, and deliver him when arrested to the said Robert H. Springer, agent of the said State of Georgia, in order that he may be taken back to the said State of Georgia to be dealt with for said crime of "Larceny after trust" according to law.

In testimony whereof, I hereto sign my name and cause the Great Seal of the State to be affixed, at the City of Austin, this the 13th day of September A. D., 1856, and of the Independence of the United States the 81st and of Texas the Twenty fifth year.

Seal.

By the Governor

E M Pease

Edward Clark
Secretary of State.

The State of Texas,

Whereas a Writ has been issued for the County of Jackson in said State on the 4th day of April 1860 and Alex. J. Hennery was convicted for an assault and battery and was fined therefor in the sum of One hundred and fifty dollars besides costs, which conviction was afterwards taken to the Supreme Court of this State and there affirmed: and whereas it has been made known to me that said Hennery is or was at the time of said conviction a minor and that the said costs and fine can be collected, and that if it is paid it must be done by his Father, who is an estimable man and an adopted citizen.

Now therefore I, F. R. Lubbock Governor of said State, by virtue of the authority vested in me by the Constitution and laws thereof, do hereby remit the said fine and the judgment rendered therein and the execution of the costs of said case.

In witness whereof I have hereunto subscribed my name and caused the Great Seal of the State to be affixed at the City of Austin this the Eighth day of February A. D. 1861 and of the Independence of the Republic the twenty ninth year.

F. R. Lubbock

By the Governor:

Edward Clark

A. M. Pease

Secretary of State

Counties	Election returns August 6th. 1856 Comptroller		Treasurer	
	James B. Shaw	A. J. G. Robertson	James H. Raymond	H. M. Taylor
Anderson	399	353	570	362
Anderson	159	008	131	030
Aransas	146	002	145	003
Austin	441	174	413	174
Bandera	008	011	008	011
Bastrop	495	285	512	270
Bell	291	250	313	164
Bexar	1251	145	1299	431
Bosque	125	003	125	003
Bowie	153	002	129	002
Brazoria	359	022	341	022
Brazos	050	044	067	035
Brown	000	000	000	000
Burleson	329	052	320	069
Burnett	155	089	157	084
Caldwell	437	147	419	155
Calhoun	249	053	233	065
Cameron				
Cass	588	125	528	189
Cherokee	1061	481	1050	489
Collin	343	079	331	077
Colorado	280	077	245	108
Comal	381	020	582	020
Comanche	000	000	000	000
Cooke	242	009	245	005
Coryell	145	076	144	069
Dallas	132	010	129	010
Denton	248	021	248	023
DeWitt	285	000	278	000
Ellis	252	052	248	055
El Paso	455	000	455	000
Erath	000	000	000	000
Falls	117	052	125	021
Fannin	501	121	503	124
Fayette	570	409	[illegible]	392
Fort Bend	[illegible]	014	[illegible]	015
Freestone	33[illegible]	112	330	124

Counties	Election returns August 4th 1856			
	Comptroller		Treasurer	
	James B. Shaw	W. M. Fickerson	James H. Raymond	H. M. Hartley
Galveston	512	145	480	159
Gillespie	257	003	254	001
Goliad	091	001	085	071
Gonzales	412	139	381	161
Grayson	254	105	233	111
Grimes	150	170	152	171
Guadalupe	424	249	415	239
Harris	580	214	558	207
Harrison	604	333	280	705
Hays	110	137	116	133
Henderson	284	022	207	030
Hidalgo				
Hill	185	025	189	018
Hopkins	504	077	347	104
Houston	489	120	489	110
Huntt	372	631	366	033
Jack	000	000	000	000
Jackson	057	054	051	003
Jasper	177	052	129	097
Jefferson	079	045	072	051
Johnson	192	028	157	028
Jones	100	079	000	000
Kaufman	200	039	237	058
Kerr	037	000	038	000
Kinney	000	000	000	000
Lamar	541	055	525	065
Lamphasas	092	041	092	058
La Vaca	297	078	298	083
Lee	279	230	270	271
Liberty	159	142	132	167
Limestone	295	037	277	060
Live Oak	000	000	000	000
Llano	025	004	021	002
McCulloch	000	000	000	000
McLennan	301	158	355	145
Madison	042	103	030	105
Matagorda	103	000	000	000

Election returns, August 4 1850.

Counties	Comptroller		Treasurer	
	James B. Giddings	C. C. Nottingham	Mirabeau B. Lamar	R. M. Taylor
Marion	000	000	000	000
Medina	100	009	100	007
Milam	201	222	207	097
Montgomery	084	209	094	221
Nacogdoches	135	159	491	208
Navarro	325	070	508	055
Newton	204	015	199	015
Nueces	250	000	250	000
Orange	119	000	119	000
Palo Pinto	000	000	000	000
Panola	410	120	368	179
Parker	090	000	079	000
Polk	574	029	575	024
Presidio				
Red River	430	185	435	184
Refugio	120	008	127	008
Robertson	140	140	178	084
Rusk	1011	758	928	702
Sabine				
San Augustine	211	057	174	101
San Patricio	048	000	040	000
San Saba	034	018	034	010
Shelby	427	085	421	092
Smith	954	057	919	105
Starr	171	000	170	000
Tarrant	420	10	424	15
Tyler				
Travis	039	559	072	518
Trinity	215	055	195	082
Tyler	339	011	339	012
Upshur	502	085	497	130
Uvalde	011	014	011	015
Van Zandt	299	000	270	000
Victoria	208	057	194	040
Walker	547	275	541	275
Washington	817	242	855	515
Webb	197	000	131	000

Election Returns August 4th 1856.

Counties	Comptroller James B. Shaw	Comptroller C. S. Robertson	Treasurer James H. Raymond	Treasurer F. M. Tarrant
Rise	051	000	051	000
Rhardin	050	051	020	050
Williamson	325	247	311	265
Wood	348	018	349	020
Young	000	000	000	000
	31198	10474	30054	11140

Election Returns August 4th 1856.

Counties	Atty General James Willie	Atty General William Fleadman	Chief Justice John Hemphill	Ass. Chief Justice Royal T. Wheeler	Ass. Chief Justice Abner S. Lipscomb	Ass. Chief Justice Thos. J. Jennings
Anderson	506	424	977	493	559	657
Angelina	104	033	159	094	074	112
Atascosa	145	001	148	108	147	003
Austin	445	174	488	365	308	290
Bandera	008	011	000	000	000	000
Bastrop	489	273	000	000	000	000
Bell	388	138	305	221	195	147
Bexar	1281	442	1738	1502	879	928
Bosque	100	020	105	088	031	091
Bowie	118	002	000	000	000	000
Brazoria	360	019	373	337	337	015
Brazos	052	047	099	052	094	019
Brown	000	000	000	000	000	000
Burleson	321	070	582	233	318	122
Burnet	170	074	227	187	121	111
Caldwell	394	157	578	392	281	282
Calhoun	094	001	288	223	188	083

Election Returns August 4 1856.

Counties	Attorney General		Supreme Court			
			Chief Justice	Asso Chief Justice		
	James Willie	William Stedman	Sorhan Nacogdoches	Royal T. Wheeler	Abner S. Lipscomb	Thos. J. Jennings
Cameron						
Cass	470	224	700	520	398	271
Cherokee	1001	414	1570	1085	866	968
Collin	308	097	092	071	038	059
Colorado	279	079	350	353	340	008
Comal	381	024	404	337	312	095
Comanche	000	000	000	000	000	000
Cooke	255	014	251	250	238	011
Coryell	140	073	039	034	022	022
Dallas	707	020	724	404	325	430
Denton	250	034	120	109	010	114
De Witt	304	005	219	230	237	003
Ellis	239	057	284	244	072	208
El Paso	453	000	453	453	453	000
Erath	000	000	000	000	000	000
Falls	113	022	068	049	041	003
Fannin	564	123	684	680	678	000
Fayette	503	411	891	771	744	192
Fort Bend	202	084	281	234	270	002
Freestone	309	123	443	352	140	341
Galveston	474	177	650	618	618	024
Gillespie	256	001	254	209	203	047
Goliad	062	077	125	105	117	004
Gonzales	343	162	531	448	404	062
Grayson	218	108	329	298	299	007
Grimes	149	192	414	259	302	284
Guadalupe	415	230	623	609	312	330
Harris	559	219	772	519	639	108
Harrison	404	512	975	593	612	523
Hays	104	130	189	172	178	019
Henderson	247	32	375	272	215	104
Hidalgo						
Hill	187	014	193	161	063	143
Hopkins	314	125	262	250	234	050
Houston	447	154	621	566	578	011
Hunt	334	049	364	349	351	001

Election Returns August 4th 1856.

Counties	Attorney General		Supreme Court			
			Chief Justice	Ass't Chief Justice		
	James Willie	William Stedman	John Hemphill	Royal T. Wheeler	Abner S. Lipscomb	Thos. J. Jennings
Jack	000	000	000	000	000	000
Jackson	089	040	128	108	098	031
Jasper	109	050	233	209	194	044
Jefferson	084	038	105	080	042	061
Johnson	182	030	030	034	038	018
Karnes	082	037	135	130	093	048
Kaufman	212	094	344	278	200	122
Kerr	037	000	032	010	034	000
Kinney	000	000	000	000	000	000
Lamar	456	099	589	554	502	017
Langham	085	043	100	081	024	072
Lavaca	301	087	352	329	279	067
Leon	285	222	467	400	260	250
Liberty	140	154	285	240	189	091
Limestone	200	061	254	219	205	050
Live Oak	000	000	000	000	000	000
Llano	016	001	018	017	011	011
Mc Culloch	000	000	000	000	000	000
Mc Lennan	372	118	459	395	163	305
Madison	035	107	142	147	144	009
Matagorda	152	000	154	148	152	000
Maverick	000	000	000	000	000	000
Medina	124	007	082	120	083	050
Milam	310	098	295	250	123	130
Montgomery	083	212	299	236	256	000
Nacogdoches	346	419	791	520	164	672
Navarro	285	090	301	292	120	190
Newton	180	034	214	198	058	148
Nueces	256	.000	256	046	190	202
Orange	095	022	115	104	038	069
Palo Pinto	000	000	000	000	000	000
Panola	258	269	502	405	334	167
Parker	090	000	005	004	005	080
Polk	358	045	394	345	314	109
Presidio						
Red River	395	221	625	580	610	011

Election Returns August 4th 1856.

Counties	Attorney General		Supreme Court			
			Chief Justice	Asst. Chief Justice		
	James Hubbie	William Headman	John Hemphill	Royal T. Wheeler	Abner S. Lipscomb	Thos. J. Jennings
Refugio	128	008	084	035	051	052
Robertson	183	005	240	189	084	135
Rusk	978	791	1738	1747	1726	019
Sabine						
San Augustine	105	179	280	258	256	105
San Patricio	048	000	039	018	026	037
San Saba	043	017	049	052	034	018
Shelby	306	190	505	386	202	277
Smith	892	138	1022	828	810	140
Starr	171	000	126	000	125	126
Tarrant	419	020	342	312	228	122
Titus						
Travis	668	518	988	893	702	377
Trinity	189	082	228	203	108	123
Tyler	296	048	314	265	230	129
Upshur	441	137	681	476	467	264
Uvalde	009	016	018	019	017	001
Van Zandt	271	000	213	233	220	132
Victoria	188	107	214	179	129	108
Walker	340	277	617	522	367	209
Washington	674	365	1129	788	1055	232
Webb	190	000	191	149	042	111
Wise	038	000	057	059	000	066
Wharton	079	002	071	064	069	020
Williamson	204	280	504	470	264	290
Wood	314	046	352	239	212	207
Young	000	000	000	000	000	000

Election Returns August 4! 1856.

1st. Judicial District — Dist. Att.ys

Counties	F. Wilson	F. M. Gibson	John Throckmorton
Austin	347	068	198
Brazoria	227	158	007
Colorado	026	152	227
Fayette	342	082	387
Fort Bend	115	107	091
Matagorda	109	003	000
Wharton	144	003	002

2.d Judicial District — Dist. Judge, Dist. Att.ys

Counties	Thomas H. Duval	C. B. Turner	George W. Somes	A. M. Chalmers
Burnet	089	140	084	163
Bastrop	559	171	454	312
Caldwell	393	209	417	225
Gaudalupe	401	201	402	289
Hays	136	157	103	126
Travis	651	331	417	568
Williamson	184	327	323	257

Election Returns August 4! 1856.

3rd Jud. Dist. — Dist. Att.

Counties	N. W. Battle	John Buckholts
Bell	429	120
Bosque	117	007
Burleson	383	099
Coryell	158	062
Milam	275	157
Mc Lennan	420	093
Washington	793	364

4! Jud. Dist. — Dist. Judge, Dist. Att.ys

Counties	Thos. J. Devine	M. A. Dodge	Frank Cryan	Angel Navarro
Bexar	930	790	707	937
Comal	256	143	352	035
Gillespie	227	033	229	021
Kerr	012	000	031	000

Election Returns August 4! 1856.

5. Judicial District — Dist. Judge, Dist. Att.

Counties	A. A. W. Hicks	R. S. Walker	L. H. Casey
Jasper	096	297	298
Newton	092	182	264
Nacogdoches	552	301	881
Shelby	402	150	530
San Augustine	178	142	299
Angelina	108	173	263

6! Judicial District — Dist. Judge, Dist. Att.

Counties	G. A. Frazer	W. H. Morris	J. H. Hyde	J. Clampit	J. R. Armstrong
Harrison	860	116	070	539	504
Panola	384	267	050	455	250
Rusk	685	1050	21	947	825
Upshur	500	253	203	582	350
Wood	155	300	30	315	136

Election Returns August 4th 1856.

7th Jud. District		8th Judicial District								
	Judge		Dist. Judge					Dist. Atty.		
Counties	W. B. Gray	Counties	Wm. S. Fudge	W. H. Johnson	M. L. Rogers	Hart	Morgan	J. R. G. Mills	E. Bonner	B. W. Mounger
Galveston	646	Bowie	238	5	18			228	54	5
Grimes	447	Cass	660					330	562	27
Harris	821	Fannin	625					574	144	11
Montgomery	347	Hunt	381	1				362	128	15
Madison	159	Hopkins	572			44		463	183	88
Walker	598	Lamar	569				113	585	190	17
		Red River	396		11			382	274	2

Election Returns, August 4th 1856.

9th Judicial District						10th Judicial District						
Dist. Judge			Dist. Atty.			District Judge				Dist. Atty.		
Counties	John H. Reagan	J. W. Robertson	B. F. Johnson	George Robinson	S. W. Overton	Counties	Fielding Jones	A. H. Phillips	W. H. Stewart	A. H. Phillips Jr.	Jno. L. Harper	Jno. H. Harper
Anderson	518	524	427	592		Calhoun	220	52	35	175	94	32
Cherokee	1084	535	727	880		De Witt	308	91	8	162	213	
Henderson	294	113	164	218		Jackson	131	21	7	106	48	
Houston	454	167	323	256	28	La Vaca	307	115	91	162	336	
Kaufman	234	148	68	207	101	Gonzales	357	161	260	132	578	
Smith	673	503	422	781	1	Victoria	230	68	1	120	174	
Van Zandt	301	60	72	299	6							

Election Returns August 4th 1856.
Eleventh Judicial District
District Attorney.

Counties	A. C. Hyder
El Paso	255

Election Returns August 4th 1856.

13th Judicial District

Counties	District Judge: J. D. Jennett	District Judge: John Gregg	Dist. Att.: Charles Stewart	Dist. Att.: John L. Wheiler
Brazos	99	14	69	50
Falls	179	89	258	8
Freestone	118	430	254	134
Hill	80	166	129	115
Limestone	231	266	225	168
Leon	270	326	318	91
Navarro	409	197	60	489
Robertson	191	142	201	93

14th Judicial District

Counties	District Judge: James Webb
Goliad	211
Karnes	199
Nueces	248
Refugio	167
San Patricio	47

15th Judicial District.

Counties	District Judge: J. H. Mabry	District Judge: H. C.	District Judge: A. S. Watt	District Judge: C. A. C. Gray	District attorney: J. H.	District attorney: Wilson	District attorney: Lucius	District attorney: Loving
Jefferson	70	48	50		84		69	
Liberty	161	168	3		219		129	
Orange	22	48	48		66		49	
Polk	345	53	66		289		160	
Tyler	190	49	135		290		86	
Trinity	154	21	157		171		159	

Note. For exhibit of 15th Judicial District See page 548

We hereby certify that on this the 4th day of October, we Edward Clark Secretary of State and E. M. Pease Governor, Thomas J. Jennings the Attorney General being unable to act on account of his not being present at the Seat of Government, proceeded to open and count the returns of votes made to the Secretary of State according to law, of an election held on the 4th day of August 1856 in the several counties of the State, for Comptroller of Public Accounts, State Treasurer and a Chief Justice and two Associate ~~Justices~~ Justices— Also at an election held at the same time in the several counties composing the Second, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Thirteenth, Fourteenth and Fifteenth Judicial Districts, each, for a District Judge: also for a District Attorney in the counties composing the following Judicial Districts, to wit: the First, Second, Third, Fourth, Fifth, Sixth, Eighth, Ninth, Tenth, Eleventh, Thirteenth and Fifteenth each; and that the foregoing Ten pages contains a true and correct Statement of the votes so returned.

E M Pease

The State of Texas
Executive Department

I E. M. Pease Governor of said State, do hereby certify, that from an examination of the returns made according to law, to the Secretary of State, of the votes given for a Judge of the District Court of the Second Judicial District of said State, at an election held on the 4th day of August 1856, in the several counties composing said District; it appears that Thomas H. Duval received the highest number of votes given for said Officer: and I hereby declare that said Thomas H. Duval has been duly elected to said Office.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed— at the City of Austin this the 4th day of October A. D. 1856. and of the Sovereignty and Independence of Texas the Twelfth year.

E M Pease

Seal.

By the Governor
Edward Clark
Secy of State

Certificates of election similar to the foregoing have been issued to the Judges of the following Judicial Districts to wit:- the Fourth, Fifth, Sixth, Seventh, Eighth, Ninth Tenth, Thirteenth, Fourteenth _____ each.

The State of Texas
Executive Department

_____ I, E. M. Pease Governor of said State, do hereby certify that from an examination of the returns made according to law to the Secretary of State; of the votes given for a District Attorney of the First Judicial District of said State, at an election held on the Fourth day of August 1856, in the several counties comprising said District, it appears that W. B Wilson received the highest number of votes given for said Office; and I hereby declare that said W B. Wilson has been duly elected to said Office.

Seal

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed - at the City of Austin, this the 4. day of October A D. 1856. and of the Independence of Texas the Twenty first year.

By the Governor

E M Pease

Edward Clark
Secretary of State.

Certificates of election similar to the above have been issued to the District Attorneys of the following Judicial Districts: to wit: Second, Third, Fourth, Fifth, Sixth, Eighth, Ninth, Tenth, Eleventh, Thirteenth _____ each.

Election Returns August 28th 1856.

Eighteenth Judicial District.

Counties	District Judge				District Attorney			
	E. F. Buckner	F. B. Ariot	B. E. Cardwards	Ge: H. Norman	James Paul	Reichel	Brambel	Fisk
Atascosa	89	37	25	10	91	44	9	–
Bandera	10	7	1	20	31	10	–	1
Medina	69	10	–	97	101	40	19	–
Uvalde	13	15	1	20	29	13	5	–

Department of State
Austin October 28th 1856.

I, the undersigned Secretary of State of the State of Texas, E. M. Pease Governor and James Willie Attorney General, being unable to act on account of their absence from the Seat of Government, proceeded to open and count the return of votes made to the Office of Secretary of State according to law, as given at an election held in the several counties of the Eighteenth Judicial District of said State on the Twenty-eighth day of August 1856 for a District Judge and District Attorney for said District and that the foregoing tabular exhibits a true statement of the votes so returned.

Department of State
Austin October 28th 1856.

In the absence of the Governor, I, Edward Clark Secretary of State of the State of Texas, do hereby certify that from an examination of the returns made according to law, to the Secretary of State of the votes given for District Judge of the Eighteenth Judicial District of said State at an election held on the twenty-eighth day of August A. D. 1856 in the several counties composing said District; it appears that E. F. Buckner received the highest number of votes given for said Office, and I hereby declare that said E. F. Buckner has been duly elected to

said Office

Seal

In testimony, whereof, I have hereunto signed my name and affixed the Seal of the Department of State; at the City of Austin this the Twenty-eighth day of October A. D. 1850. and of the Independence of Texas the 21st Year.

Edward Clark
Secretary of State.

Executive Office,
Austin Texas, 27. Aug. 1850.

To,
The Hon, the Senate of the State of Texas.

I have made the following appointments of Notaries Public, to which I respectfully ask your advice and consent — Viz:

Caldwell County — C. H. Whites, vice Jamb S. P. McDonell elected County Clk.

— J. G. F. McGehee, vice, Robert B. Porter, refused to accept.

Cass County — S. H. Fleming, reappointed his term having expired.

Comal County — H. Kalteyer.

Gaudalupe County — Isham C. Harris vice Louis Keiser deceased.

— Fedin Morris vice J. H. Diner refused to qualify.

McLennan County — George W. Cook vice Thomas C. Alexander.

Jackson County; — Edward Finch vice H. D. Starr, elected County Clerk.

E M Pease

Election Returns. August 4. 1856.
Fifteenth Judicial District.

District Judge.				District Attorney.		
Counties	W. C. Whitsitt	J. A. G. Mangum	E. A. Mc. Grey	S. A. Hilliard	Lucius Lirring	
Liberty	168	161	3	219	129	
Polk	53	345	66	289	160	
Trinity	21	154	157	171	159	
Tyler	48	22	48	66	49	
Orange						
Jefferson	48	70	50	84	69	

Department of State
Austin, Texas Septr 4. 1856

We hereby certify, that on this, the 4. day of September 1856, we Edward Clark Secretary of State and E. M. Pease Governor, the Attorney General being unable to act on account of indisposition - proceeded to open and count the returns of votes, made to the Office of Secretary of State as given at an election held in the several Counties of the Fifteenth Judicial District of said State on the 4. day of August 1856 for a Judge and District Attorney for said District, and that the foregoing tabular exhibits a correct statement of the votes so returned. E M Pease

Secretary of State.

The State of Texas
Executive Department
Austin, September 4. 1856.

I, E. M. Pease Governor of said State do hereby certify, that from an examination of the returns made according to law, to the Secretary of State of the votes given for Judge of the District Court of the Fifteenth Judicial District, at an election held on the Fourth day of August 1856 in the several Counties composing said District, it appears that J. M. Mangum received the highest number of votes given for said Office: and I hereby declare that

said James H. Mabry has been duly elected to said Office.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin this the 4th day of September A. D. 1856 and of the Independence of Texas the Twenty first year.

Seal

E M Pease

By the Governor
Edward Clark
Secretary of State

Proclamation.

By the Governor of the State of Texas.

Whereas the Hon Edward S. David Judge of the Eighth Judicial District has resigned said Office of Judge - said resignation to take effect on the 31st day of January 1857.

Now therefore, I E M Pease, Governor of said State of Texas, do, by virtue of the authority vested in me, hereby order and direct the Chief Justices of the Several Counties of the said 12th Judicial District of the State, or two of the County Commissioners if necessary give due notice and cause polls to be opened at the precincts of their respective counties on Tuesday the 4 day of November A. D. 1856, for the election of Judge of said 12th Judicial District - the person elected to enter upon the discharge of the duties of the office on the said 31st day of January 1857.

The Chief Justices of the Several Counties of said Judicial District, or two of the County Commissioners, as the case may be, will make duplicate returns of said elections, carefully sealed up; one of which they will transmit to the Seat of Government, directed to "The Secretary of State" and endorsed election returns of — County for Judge of the 12th Judicial District" the other they will deposite in the Office of the County Clerk.

In testimony whereof I have hereunto signed my name and caused the Great

Seal

Seal of the State to be affixed at the City of Austin, this the 8th day of September A. D. 1856, and of the Independence of Texas the twenty first year.

By the Governor
Edward Clark
Secretary of State.

E M Pease

The State of Texas
County of Travis } This agreement made and entered into this the twenty seventh day of September in the year One thousand eight hundred and fifty six by and between the State of Texas represented by E M Pease Governor thereof of the one part and Robert Crozybaur of the other part witnesseth. That the said Robert Crozybaur undertakes and agrees to locate and survey for said State the Four hundred thousand acres of land set apart for the benefit of a Lunatic Asylum, a Deaf and Dumb Asylum, a Blind Asylum and an Orphans Asylum by "An act setting aside and appropriating Land for the benefit of Asylums approved 5th August 1856. said lands to be located and surveyed in Sections of Six hundred and forty acres and fractions thereof within the district of country commonly known as the Mississippi and Pacific Rail Road reservation, and between the 95° and 101° degrees of longitude West from Greenwich. The said Crozybaur is to use and cause to be used all diligent and practicable exertions to secure as good and valuable lands, as can be found vacant within the said District of Country. He is to use all necessary precautions to avoid conflicts with former legal surveys. He marks all the corners to each tract by a State mound, & keep one can be found within two hundred yards, & mark by a mound of earth at least one and a half feet high and three feet across the base, and by the corners so well marked and measured, & [illegible] two hundred yards of [illegible]

to be found in that distance, then he is to give two bearings to prominent objects, if any are within sight.

He is to run and mark at least three lines to each survey, unless it be entirely in the prairie. To note all crossings of creeks and branches, when he enters and leaves timber, the quality of the soil passed over, all noted peaks, points of timber and mountains, and he shall take all such notes as will be necessary to give the general configuration of the tracts of land on the Maps and field-notes hereafter mentioned. He shall give an estimate, as near as may be, of the portion of timber and prairie in each tract, the character of the timber and the proportionate value of the land. He shall make out full and descriptive field-notes of each tract, with a sketch thereon of the tract described, of at least double the scale used at the General Land Office of Texas, so that on the sketch and field notes every thing to be noted as above described will plainly appear. He shall make out a connected map or maps of the whole work showing the topography and configuration of the ground and adjoining country as far as ascertained, as before mentioned. On the maps open lines will be distinguished from lines run.

The said Field-notes and maps to be filed in the General Land Office.

He also undertakes and agrees to locate and survey in the same District of country, Twenty two thousand two hundred and fifty acres, being the unlocated balance of the University lands, which shall be done in the same manner in all respects as the said Asylum lands, and in addition thereto he shall divide the said University lands into tracts of one hundred and sixty acres each, and do and perform every thing in and about such division in the same manner as is prescribed for County and District Surveyors by "An act authorizing the disposition and sale of the University lands" approved 30th August 1856. All of the said lands shall be selected and set aside prior to the First day of March 1857. but if the weather shall be so inclement during the winter as to render it impracticable to run all the division lines, then the residue may be set aside in as large tracts as the quality and quantity of good land in desirable localities will permit, it being understood that any sections or fractional sections that may be included in such tracts and are found to be inferior land, shall

afterwards be excluded and good ones selected in lieu of them. The outside lines of any such tracts to be well blazed and marked if in timber, and all the section corners made thereon prior to the first day of March A.D. 1857. He shall previous to the said first day of March make out Field Notes and maps descriptive of and representing the outlines of all the tracts selected whether cut into sections or not cut into sections, and file the same in the different land districts where the lands may be situated, and duplicates thereof shall be taken with the certificates of the District Surveyors stating that they are correct copies of the originals. Like Field notes and maps shall also be temporarily filed in the Land Office before said first of March. All the division lines and corners not finished by the first of March shall be finished during the Spring of 1857.

In consideration for said work to be done by said Conrezbaur the said Pease agrees that the State shall pay him the sum of Nine thousand dollars, to be paid when the whole job is done and accepted or if as before provided the weather shall prove too inclement to complete all the work; then upon his doing all that is required by the above provisions to have done by the first of March 1857, then he shall be paid a pro-rata amount according to the work completed, to be verified by the affidavits of himself and those employed by him in the job, and the residue on the final completion of the job.

For the faithful performance of all the said work the said Conrezbaur has executed a bond with security, in the sum of Eighteen thousand dollars dated the 30. day of September A. D. 1856.

In witness whereof the parties have hereto signed their names and affixed scrawls for seals this 30th day of September A. D. 1856.

E M Pease (Seal)

(Signed) Robert Crosby, Land Commr

The foregoing is a true copy of the original on file — Bird Holland
Clerk Secretary State

Proclamation
By the Governor of the State of Texas.

Whereas by the laws of this State and of the United States, an election for Electors of President and Vice-President of the United States, is required to be held throughout this State on the Tuesday next after the first Monday = being the fourth day - of November, 1856.

Now Therefore, I, E. M. Pease, Governor of the State of Texas, do, by virtue of the authority vested in me, hereby order and direct that the Chief Justices of the several Counties of this State, or any two of the County Commissioners, if necessary, give due notice and cause polls to be opened at the different precincts of their respective counties, on the said first Tuesday after the first Monday - the 4. day - of November, 1856, for the election of Four Electors of President and Vice President of the United States: Said election to be held in the same manner, at the same places and under the same rules and regulations as elections for members of the House of Representatives of the State Legislature.

The Chief Justices, or County Commissioners, if necessary, will require the Officers holding said elections, in their respective counties, within three days after said election, to correctly compare and add up the number of votes given for each person voted for as an Elector, and to write out, and certify, seal up and transmit the same to them or other proper Officer at the County Seat; and the Chief Justices or County Commissioners as the case may be, will within four days after said elections, make out in writing, certify, seal up and transmit by mail, or other expeditious conveyance, a correct Statement of the election held at all the precincts in their respective counties, directed to, "The Secretary of State", at the City of Austin, and endorsed "Election returns of — County for Electors of President and Vice President of the United States".

In testimony whereof, I have hereunto signed my name, and caused the impress of the Great Seal of the State to be made hereon, at the City of Austin, this the 8. day of September, A. D. 1856, and of the Independence of Texas the Twenty first year.

Seal

E M Pease

By the Governor.

Edward Clark

The State of Texas

Whereas Charles L. Haley and Augustus B. Hardin, alias Black Hardin stand charged upon affidavit, with having wilfully and maliciously burned a certain building in Travis County in said State, being the dwelling of James S. Gillett in which was also kept the Office of the Adjutant-General of the said State and have fled from justice - and whereas on the Sixth day of February A. D. 1856, a Proclamation was issued by E. M. Pease Governor of said State, by which a reward of Two thousand dollars was offered for the arrest and delivery of said persons to the Sheriff of Travis County, or a reward of one thousand dollars for the arrest and delivery of either of them to said Sheriff.

Now therefore, be it known, that I, E. M. Pease Governor of said State by virtue of the authority in me vested by the Constitution and laws thereof, do hereby revoke and make void the said Proclamation of the Sixth day of February A. D. 1856.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin, this the Ninth day of September A. D. 1856, and of the Independence of Texas the twenty first year.

Seal

By the Governor:

E. M. Pease

Edward Clark
Secretary of State.

State Department
Austin Sept. 10th 1856.

Proposals will be received at the Office of the Secretary of State, until the 25th day of September 1856, for printing and binding in one volume Five thousand copies of the Penal Code and Code of Criminal Procedure as adopted by the Legislature at its late Session together with an index to the same.

The contractor must furnish all materials of every description. The paper must be of a quality equal to that of the copies of Hartley's Digest, originally furnished to the State. The work must be printed on small pica type. Each page must be 44 lines long, exclusive of the folio and 27 ems wide. The volume must be bound with leather backs, and pasteboard covers neatly covered with paper. The Style of the Volume must be printed in gilt letters on the back thereof.

Three thousand volumes must be delivered at the Office of the Secretary of State in Austin on or before the 1st day of January 1857 and the other two thousand volumes on or before the 1st day of February 1857: payment to be made as the work is delivered. The copy will be furnished when the contract is closed.

The proposals must state that the whole Five thousand volumes will be delivered at the times above named for such a price (naming it distinctly) per page, for as many pages as shall be contained in one volume. The contractor will be required to give bond with good security for his performance within the time.

E M Pease

Executive Office
Austin Texas, 20th Sept. 1856.

James Willie Esq.

Dear Sir,

You are hereby appointed to prepare the Copy of the Penal Code and the Code of Criminal Procedure for publication; also to make a full and complete index for both, and revise the proof before it goes to press.

Your compensation will be the sum of three hundred dollars; and if the work is printed at any other place than Austin, your actual expenses in going to the place of printing and while you are necessarily detained there will also be paid.

E M Pease

The State of Texas.

Whereas Lewis Walker was convicted of an assault with intent to murder at the Fall term in the year 1855 of the District Court for Milam County in said State, and was sentenced therefor to be confined at hard labor in the State Penitentiary for one year and ten months where he is now confined undergoing said sentence; and whereas the age and previous good character of said Lewis Walker induce the belief that the punishment he has already suffered will hereafter make him a peaceable and orderly citizen.

Now therefore, by virtue of the authority vested in me by the Constitution and laws of said State, E. M. Pease, Governor thereof, do hereby grant to said Lewis Walker a free pardon for said offence to take effect on the Ninth day of November 1856 and the Superintendent of the State Penitentiary is hereby directed to discharge said Lewis Walker from any further confinement for said offence, from and after the Ninth day of November 1856.

In testimony whereof I have hereunto signed my

name and caused the Great Seal of the State to be affixed at the City of Austin, this the 25th day of September 1856 and of the Independence of Texas the twenty first Year.

Seal

By the Governor

E M Pease

Edward Clark
Secretary of State.

The State of Texas

Whereas a Judgement was rendered in the District Court of Travis County in said State on the 4th day of May 1855 in favor of the State of Texas against Jack A. Burditt, A Fore and H. M. Grumbles for the sum of One hundred dollars besides costs, upon a Bond for the appearance of said Burditt to answer an indictment against him in said Court for betting at Faro and whereas it has been made known to me that at a subsequent term of said Court the said Burditt appeared and plead guilty to said charge and was fined therefor by said Court

Now therefore, be it known, that I, E. M. Pease Governor of said State by virtue of the authority vested in me by the Constitution and laws thereof, do hereby remit the said judgement of one hundred dollars, rendered upon said appearance bond with the exception of the costs, and the commissions due the District attorney for obtaining said judgement.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed at the City of Austin, this the 4th day of October 1856, and of the Independence of Texas, the twenty first Year.

Seal

By the Governor

E M Pease

Edward Clark
Sec'y. of State.

The State of Texas.

Whereas a judgement was rendered in the District Court of Travis County on the 29th. day of January 1855 in favor of the State of Texas against Henry Vines, Sherman Case and Joel A. Burditt for the sum of Seven hundred dollars besides costs upon a bond for the appearance of George Foos to answer an indictment in said Court for stealing a Roan Pony and a white mule, and whereas it has been made known to me that there was a dispute between the prosecutor W. R. Young and the accused George Foos whether the wife of the prosecutor did not lend the property, alleged to have been stolen, to the said Foos; and whereas the said Young, upon whose testimony the said indictment was found, never appeared to give evidence against the accused; and it is believed that said Foos is now dead.

Now therefore I, E. M. Pease Governor of said State by virtue of the authority vested in me by the Constitution and laws thereof, do hereby remit the said judgement with the exception of the Commissions due the District Attorney for obtaining the same and the costs of said judgement.

Seal

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin this the 4. day of October 1856. and of the Independence of Texas the twenty first Year.

E M Pease

By the Governor

Edward Clark
Sec. of State

The State of Texas

Whereas at the Spring term of the District Court of the County of Harris on the 16. day of June 1856 a judgement was rendered in favor of the State of Texas against Wm. Henry Eliot and Archibald Wynns for the sum of Five hundred dollars and besides costs, upon a recognizance given in said Court for the appearance of Augustus Tompkins to answer an indictment for larceny of money, and whereas it has been made known to me that the said Tompkins was but about twelve years of age at the time said offence was alleged to have been committed, and that his mother induced said parties to enter into said recognizance and bound herself to save them harmless and will ultimately have to pay said judgement which she is able to do.

Now therefore, I, E. M. Pease Governor of said State by virtue of the authority vested in me by the constitution and laws thereof, do hereby remit the said judgement with the exception of the commissions due the District Attorney for obtaining the same and the costs taxed thereon.

Seal

In testimony whereof I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin this the 4. day of October 1856 and of the Independence of Texas the twenty-first year.

By the Governor

E M Pease

Edward Clark
Sec. S. of State.

Department of State
Austin, October 14. 1856.

Hon. James H. Raymond
Austin.

Dear Sir:

From an examination and count made on the 3.d Inst. of the votes cast in this State for "Treasurer" on the first monday the Fourth day of August last, it was found that you had been elected to said Office; you having received of the votes given at said time for said Office, Thirty Thousand and fifty four, to Eleven Thousand one hundred and forty, given for your opponent.

Very respectfully
Your Obdt Servt.
Edward Clark
Secy of State.

N. B. Similar notices of election were on the same day prepared and furnished Mr. Shaw, Comptroller and James Willie Atty. Genl. elect

The State of Texas

To all, to whom these Presents shall come — Greeting —

Know Ye. That reposing special trust and confidence in the Integrity, Diligence and Discretion of Charles Coney Esq.r — I do hereby appoint him "Weigher of Cotton for the Port of Lavaca" in the County of Calhoun in said State under the provisions of "An act creating the Office of Weigher of Cotton for certain Ports in this State", Passed September 1st 1856. And I do hereby authorize and empower him to execute and perform the duties of this appointment according to law, for and during the term of Three years from the date hereof, unless sooner removed by the Governor of this State for the time being.

Seal

In testimony whereof I have hereunto signed my name and caused the Great Seal of the State to be affixed at the City of Austin, this the 12th day of September 1856. and of the Independence of Texas the twenty first Year.

By the Governor

E M Pease

Edward Clark
Sec. of State.

The State of Texas.

To all, to whom these presents shall come - Greeting.

Know Ye. That reposing special trust and confidence in the Integrity, Diligence and Discretion of William McHendson Esq:- I do hereby appoint him "Weigher of Cotton for the Port of Galveston" in the County of Galveston in said State, under the provisions of "An act creating the Office of Weigher of Cotton for certain Ports in this State" Passed September 1. 1856. and I do hereby authorize and empower him to execute and perform the duties of this appointment for and during the term of three years from the date hereof, unless sooner removed by the Governor of this State, for the time being.

Seal

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin this the 27th day of October 1856. and of the Independence of Texas the twenty first Year.

By the Governor

E M Pease

Edward Clark
Sec. of State.

The State of Texas.

To all, to whom these Presents shall come — Greeting —

Know Ye; That reposing special trust and confidence in the Integrity, Diligence and Discretion of Thomas Lubbock Esq: I do hereby appoint him "Weigher of Cotton for the Port of Houston" in the County of Harris in said State, under the provisions of "An act creating the Office of Weigher of Cotton for certain Ports in this State." Passed September 1st 1856, and I do hereby authorize and empower him to execute and perform the duties of this appointment according to law, for and during the term of three years from the date hereof, unless sooner removed by the Governor of this State for the time being.

In testimony whereof I have hereunto signed my name and caused the Great Seal of the State to be affixed at the City of Austin, this the 27. day of October 1856. and of the Independence of Texas the twenty first year.

Seal

By the Governor

E M Pease

Edward Clapp
Sec'y. of State.

The State of Texas

To all and singular the Sheriffs, Constables and other Civil officers of said State — Greeting —

Whereas it has been represented and made known to me by S. P. Chase, the Governor of the State of Ohio, that John M. West late of said State of Ohio, stands charged by Indictment found in the Court of Common Pleas of Franklin County in said State of Ohio, at the March term of said Court of Common Pleas in the year One thousand eight hundred and fifty, "with the crime of murder" and that the said John M. West has fled from justice in said State of Ohio, and taken refuge in the State of Texas.

And whereas the said Governor of the State of Ohio, in pursuance of the Constitution and laws of the United States, has demanded of me that I cause the said John M. West to be arrested and delivered to T. J. Mackey, the duly authorized agent, appointed by said Governor of the State of Ohio, to receive the said West into custody and convey him to the State of Ohio. — And whereas the said representation and demand are accompanied by a copy of said Indictment duly certified as authentic by the said Governor of the said State of Ohio.

Now therefore, I, E. M. Pease, Governor of the State of Texas, do by virtue of the authority vested in me by the Constitution and laws of this State, and of the United States, issue this my warrant, commanding all Sheriffs, Constables and other Civil Officers of this State, to arrest, and to aid and assist in arresting the said John M. West, and deliver him when arrested, to the said T. J. Mackey, agent of the said State of Ohio, in order that he may be taken back to the said State of Ohio, to be dealt with for said crime of murder, according to law.

In testimony whereof I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin this the 30th day of October A.D. 1856, and of the Independence of Texas the twenty-first year.

Seal

By the Governor

E M Pease

Edward Clark

Sec. of State

Proclamation

By the Governor of Texas.

In reviewing the history of our State during the past year, we have abundant cause to be thankful for the blessings that have been extended to us as a community.

Our citizens have been favored with an unusual degree of health; peace has prevailed within our borders, and although some sections of the country have been visited with an unexampled drouth, yet the labors of the husbandman have been sufficiently rewarded with the fruits of the earth to meet all our reasonable wants.

The advantages of education and of the Gospel have been more widely diffused among us than at any former period. These blessings demand from us an acknowledgement of our gratitude to their author.

I therefore recommend that thursday, the 27th of November instant, be observed throughout this State as a day of Public Thanksgiving; and I respectfully invite the Clergy of the different religious denominations to unite with their congregations on that day in giving thanks and praise to Almighty God for these manifestations of his divine favor, and in imploring a continuance of his beneficent protection to our beloved State.

In testimony whereof, I have hereto set my hand and caused the Great Seal of the State to be affixed, at the City of Austin, this first day of November A. D. 1856. and of the Independence of the United States the Eighty first, and of Texas the twenty-first year.

Seal

By the Governor

E M Pease

Edward Clark
Secretary of State

Department of State
Austin Texas, November 24. 1856.

The undersigned Secretary of State of the State of Texas, do hereby certify that according to the returns made to this Department, of an election held throughout this State, on Tuesday the 4. day of November A.D. 1856, for the election of Four Electors of President and Vice President of the United States; F. W. Borden, W. R. Scurry, A. S. Nood and A. S. Hamilton, were chosen Electors to cast the vote of the State of Texas, for President and Vice President of the United States.

The Vote being

For		For.	
F. W. Borden	28.757	R. J. Taylor	15.244
W. R. Scurry	28.740	Wm. E. Jones	14.853
A. S. Nood	28.560	J. W. Flanagan	15.220
A. S. Hamilton	28.572	J. W. Blake	15.210

The electors so chosen are required to convene in the Capitol, at the City of Austin, on the first Wednesday, the 3rd day of December next, and vote for President and Vice President of the United States.

Seal

In testimony whereof I have hereunto signed my name and attached the Seal of the Department of State, the day and year aforesaid.

Edward Clark
Secretary of State.

For expense of the Vote, see page 618. 16. 17 & 18.

The State of Texas

Whereas, a Commercial Convention is to assemble at Savannah in the State of Georgia on Monday the eighth day of December next, at which it is expected measures will be adopted to develop the Commercial, Agricultural and Mechanical resources of the Southern and Western States, in which objects the State of Texas feels a deep interest in common with her Sister States: and whereas a desire has been expressed in many Sections of this State, that the Executive shall appoint delegates to represent the interest of this State in said Convention.

Now therefore, I do hereby appoint John H. Ashe Esq.r a delegate to represent the State of Texas in said Convention.

In testimony whereof I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin, this the 25.th day of November A. D. 1856. and of the Independence of the United States the 81.st and of Texas the 21.st Year.

Seal

By the Governor

Edward Clark
Sec.y of State.

E M Pease

Department of State
Austin Texas Dec. 3. 1856.

I, the undersigned, Secretary of State of the State of Texas, hereby certify at an election held in said State on the First Sunday, the 4 day of November 1856 for the election of Electors of President and Vice President of the United States to cast the vote of said State; F. H. Bowden, William H. Swiney, A. J. Hood and A. J. Hamilton, were elected to cast said vote.

Seal

Witness my hand and the seal of the Department of State, the day and year above written.

Edward Clark
Sec'y. of State.

Department of State
Austin November 24. 1856.

Sir:— I have the honor to inform you of your election by the People of this State, as one of the Electors of President and Vice President of the United States.

I have the honor to be
Very Respectfully
Your Obt. Servt.
Edward Clark
Sec'y. of State.

Hon: F. H. Bowden,
Hon: W. H. Swiney,
Hon: A. J. Hood,
Hon: A. J. Hamilton.

In the Electoral College

For the State of Texas.
Austin, December 3rd 1856.

To the—
Hon. Edward Clark—
Secretary of State of the—
State of Texas.—

Sir:—

The undersigned Electors chosen by the people of Texas for the purpose of casting the vote of the State for President and Vice President of the United States, have the honor to notify you, that having assembled this day at the hour of 2 O' Clock P. M. at the Capitol, for the said purpose, and the Hon. F. W. Bowdon one of the electors chosen also by the people, not appearing we have nominated and appointed Mathew D. Ector to cast his vote in the electoral College.

We have the honor to be
Very respectfully
Your Obt. Servts,
Wm. R. Scurry
A. J. Hamilton } Electors.
A. J. Hood.

Department of State.
Austin, Texas, Decr 3. 1856

I the undersigned Secretary of State of the State of Texas hereby certify that Wm. R. Scurry, Andrew J. Hamilton and Andrew J. Hood Electors lately chosen by the people of Texas for the purpose of casting the vote of the State for President and Vice President of the United States, have this day nominated and appointed Mathew D. Ector to act as an Elector in the place of Franklin W. Bowdon (also chosen by the people as an Elector) and who has failed to be in attendance, and that the above is a true copy of the notice of the action of the

said Electors as handed me for record in this Department.

In testimony whereof I have hereunto set my hand and caused the Seal of the Department of State, to be affixed, at the City of Austin the day and year above written.

Seal

Edward Clark
Sec. of State.

The State of Texas

Be it known that on this the third day of December in the year of our Lord 1856, the undersigned, Electors for said State for President and Vice President of the United States of America, duly, and legally, elected to cast the vote of Texas in the election of President and Vice President of said United States, met in the Capitol of said State, in the City of Austin the Seat of Government of said State: where, by the laws of said State they were required to meet and proceeded to vote by ballot for President and Vice President of the United States; the result whereof was as follows.

James Buchanan of the State of Pennsylvania received for the Office of President of the United States Four Votes and John C. Breckenridge of the State of Kentucky received for the Office of Vice President of the United States Four Votes

In testimony whereof we have hereunto set our hands and seals at the City of Austin, Texas, this the third day of December 1856.

W. R. Scurry
M. D. Ector
A. J. Hood
A. J. Hamilton
} Electors

Austin December 5. 1856.

To Hon:— Edward Clark
Secretary of State &c.
Sir:—

We the undersigned Electors of President and Vice President for the State of Texas, herewith respectfully communicate, for record in your Department, the result of our proceedings as Electors as aforesaid.

We have the honor to be
Very respectfully
Your Obt. Servts.

W. R. Scurry
M. D. Ector
A. J. Hamilton } Electors
A. J. Hood

Election Returns October 6. 1856.
Seventeenth Judicial District

Counties	District Judge						Dist. Atty.			
	E. M. Montgomery	M. M. Barnes	J. A. Houghton	W. R. Jones	W. M. Henderson	W. C. Wiseman	A. J. Walker	R. J. Posey	A. J. Strickland	J. Murphy
Brown										
Burnett	31	108	47	27	1	7	22	175	—	—
Lampasas	50	25	14	12	1	12	56	42	7	1
Llano	32	29	0	3	—	1	24	40	—	—
McCulloch										
San Saba	24	27	18	8	—	1	—	33	34	—
Williamson	181	86	133	40	33	2	262	166	—	—
	318	275	218	90	35	23	364	462	41	1

Department of State
Austin Decr. 6. 1856.

I, the undersigned Secretary of State of the State of Texas, in the absence of the Governor, hereby certify that from an examination of the returns made to this Department of the votes given for a Judge of the District Court of the

Seventeenth Judicial District, at an election held on the Sixth day of October A. D. 1856. in the several counties composing said District - it appears that Edward H. Fontress received the highest number of votes given for said Office, and I hereby declare that Edward H. Fontress has been duly elected to said Office.

In testimony whereof, I have hereunto signed my name, and made hereon the impress of the Seal of the Department of State, at the City of Austin the day and year first aforesaid.

Seal

Edward Clark
Sec'y. of State.

Department of State
Austin, December 6. 1856.

I, the undersigned Secretary of State of the State of Texas, in the absence of the Governor, hereby certify, that from an examination of the returns made to this Department according to law of the votes given for a District-Attorney of the Seventeenth Judicial District at an election held on the Sixth day of October A. D. 1856 in the said Counties composing said Judicial District, it appears that R. J. Posey received the highest number of votes given for said Officer, and I hereby declare that said R. J. Posey has been duly elected to said Office.

In testimony whereof I have hereunto signed my name, and made hereon the impress of the Seal of the State Department at the City of Austin the day and year first aforesaid.

Seal

Edward Clark
Sec'y. of State.

Executive Office

Austin, Texas, 2d August, 1856.

Gentlemen of the Senate,
and House of Representatives:

I have examined an Act which originated in the House of Representatives, entitled "An Act making an appropriation for the per diem pay and mileage of the members of the Sixth Legislature, and the per diem pay of the Officers of the same, at the adjourned session thereof, which commenced on the seventh day of July, A. D 1856" and it occurs to me that the portion of the Act which provides "that the members of the adjourned session of the Sixth Legislature shall be entitled to mileage at the same rate that members are entitled by law to receive at the regular Sessions of the Legislature," is in conflict with the 23d Section of the 3d Article of the Constitution of the State, which declares that "Each member of the Legislature shall receive from the Public Treasury a compensation for his services, which may be increased or diminished by law; but no increase of compensation shall take effect during the session at which such increase shall be made."

That the mileage for this adjourned Session is an increase of compensation to take effect during the Session at which it is made, is evident from an examination of the law regulating the compensation of the Legislature. This will be found in the acts of the 5th Legislature, and is as follows, to wit: "The members of the Legislature, at each Session hereafter to be held, shall receive from the Treasury of the State, as their compensation five dollars for each day they shall be in attendance on the same, and five dollars for every twenty five miles they may travel in going to, and returning from the place of convening the Legislature."

This law it will be seen, allows mileage but once for each Session, and this has already been appropriated and drawn from the Treasury for the present Session, by all the members except those who have been elected to fill vacancies since the adjournment in February last. Should it be contended that this is another and different Session from that which commenced in November last, and that the existing law gives mileage for it, without the provisions quoted from this Act, the reply is that the Constitution says, there shall be but one

Session of the Legislature in every two years, unless convened by the Executive on extraordinary occasions. The present meeting therefore, is either a continuation and part of the regular biennial Session that commenced in November last, or it is a meeting entirely unauthorized by the Constitution and laws of the State.

The enactment of this provision may be considered as an expression of opinion that the existing law does not give mileage for this adjourned Session, else it would only be necessary to make an appropriation of money, without providing "that the members of this adjourned Session shall be entitled to mileage at the same rate as members are entitled at regular Sessions."

It is certain, that unless the existing law gives mileage to the members of this adjourned Session, they cannot Constitutionally receive it, because the Constitution prohibits them from increasing their own compensation.

These considerations prevent me from approving the Act, and it is herewith returned to you for reconsideration.

E M Pease

Department of State
Austin Jany. 3d 1857.

We hereby certify that on this the 3d day of January 1857, we Bird Holland acting Secretary of State and E. M. Pease Governor, James Willie the Attorney General being unable to act on account of his absence from the Seat of Government, proceeded to open and count the Returns of votes made to the Office of the Secretary of State, as given at an election held in the several counties of the twelfth Judicial District of said State, on the 4 day of November 1856, for a Judge of said District and that the following tabular exhibits a true statement of the votes so returned to wit:

Election Returns November 4 1856.
Twelfth Judicial District.
Judge.

Counties	G. J. Davis	J. Bigelow	
Cameron			No returns.
Hidalgo	152	10	
Starr	324	40	
Webb	350	36	
	826	92	

E M Pease
Bird Holland
Act'g Sec'y of State.

The State of Texas.

Executive Department.

I, E. M. Pease Governor of said State do hereby certify that from an examination of the returns made according to law, to the Secretary of State, of the votes given for Judge of the District Court of the twelfth Judicial District at an election held on the third day of November 1856 in the several counties composing said

it appears that Edmund J. Davis received the highest number of votes given for said Office. And I hereby declare that said Edmund J. Davis has been duly elected to said Office.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed at the City of Austin this the 3d day of January A.D. 1857, and of the Independence of Texas the twenty first year.

Seal

By the Governor

E M Pease

Ben Holland
Act'g Sec. of State.

Proclamation

By the Governor of the State of Texas.

Whereas, The Hon. James H. Bell, Judge of the first Judicial District, composed of the Counties of Brazoria, Fort Bend, Austin, Matagorda, Wharton, Colorado and Fayette, has resigned said office of Judge; said resignation to take effect on the seventh day of May, A.D. 1857.

Now therefore, I, E. M. Pease, Governor of said State of Texas, do, by virtue of the authority vested in me, hereby order and direct that the Chief Justices of the several Counties of the said First Judicial District of the State, or two of the County Commissioners, if necessary give due notice; and cause polls to be opened at the precincts of their respective Counties on Monday the 2d day of March, 1857, for the election of a Judge for said First Judicial District; the person elected to enter upon the discharge of the duties of the Office on the said 7th day of May. The Chief Justices of the several Counties of said Judicial District, or two of the County Commissioners, as the case may be, will make duplicate returns of said Election, carefully sealed up; one of which they will

transmit to the Seat of Government, directed to "The Secretary of State" and endorsed Election Returns of _____ County, for Judge of the First Judicial District; the other they will deposite in the Office of the County Clerks _____

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin this the 30th day of January, A.D. 1857, and of the Independence of Texas the twenty first year.

Seal

By the Governor

Elk Rice

Bird Holland

Act'g. Sec'ry. of State.

Executive Office
Austin Texas, 11th Feby. 1857.

Hon. J. Crosby _____
Commissioner of the _____
General Land Office _____

_____ Dear Sir: _____

Since the conversation I had with you, the other day, in regard to the illegal Peters Colony Certificates, which are said to have been issued by some of the County Courts within the limits of that Colony; I have under the authority vested in me by the 14th Section of "An Act to ascertain the legal claims for money and land against the State" passed August 1st 1856, appointed A. G. Hendricks, Wm. H. Bourland and B. F. Smith of Grayson County to make a full examination of the records of all the County Courts in the Colony that have issued Certificates under the provisions of "An Act relating to lands in Peters Colony" approved Feby. 11th 1852 and to make a report of their examination.

Until this report is made, I think it would be well, as you suggested to suspend all further action upon Colony Certificates issued by the County Courts. When this report comes in you will be able

resume operations upon those issued by County Courts where the proceedings have been properly and legally conducted; and continue the suspension in regard to the others until the Legislature can take action in regard to them.

Yours with respect,
E M Pease

The State of Texas.

Whereas, such information has been communicated to me, as to induce the belief that Land Certificates for Six hundred and Forty acres and for three hundred and twenty acres have been improperly and illegally issued by some of the County Courts within the limits of what is known as Peters Colony, without such proof as the law requires, and that such Certificates have also been issued by some of said Courts to persons not legally entitled to receive them.

Now therefore for the purpose of ascertaining the truth of said information; I, E. M. Pease Governor of said State having full confidence in the integrity, diligence and discretion of N. T. Hendricks Esq. of Grayson County do hereby appoint him the said Hendricks in conjunction with R. P. Smith Esq. and Wm. H. Bourland Esq. both also of Grayson County, with power to examine the records of the County Courts of the Counties in the limits of said Peters Colony, in which Certificates have been issued under the provisions of "An Act relating to lands in Peters Colony" approved 10th Feby 1852, and also to examine persons in regard to the manner in which said records have been kept, and make a full report of such examination in accordance with a letter of instructions which accompanies this appointment.

Seal

In testimony whereof I have hereunto signed my name and caused the Great Seal of the State to be affixed at the City of Austin this the 11th day of February A.D. 1857. And of the Independence of Texas the twenty first year.

By the Governor
Thos Pollard
Act'g. Sec'y. of State.

E M Pease

Note — A similar appointment to the foregoing was issued to B. D. Smith Esq. — with H. S. Hendricks and Wm. H. Bourland as associates; and also one to Wm. H. Bourland Esq. — with H. S. Hendricks and B. D. Smith Esqrs. — as associates

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Executive Office
Austin Texas, Feby. 11. 1857.

To
H. S. Hendricks Esq. — B. D. Smith Esq. —
— and William H. Bourland Esqrs. —
— Gents; —

— I send each of you herewith a commission under the provisions of the 14. Section of "An Act to ascertain the legal claims for money and lands against the State" passed 1st August 1856. to examine the records of the County Courts of the Counties in the limits of Peters Colony in which certificates have been issued under the provisions of "An Act relating to lands in Peters Colony" approved February 10. 1852. —

— This appointment has been made in consequence of information communicated to this Office, which leads me to believe that Certificates have been issued by some of said Courts. —

— First — To heads of Families and single men over 17 years of age who settled in said Colony subsequent to the 1st day of July 1848. —

— Second. — To single men who settled in the Colony before the 1st day of July 1848, but who did not become 17 years of age until after that date. —

— Third. — An additional certificate of 320 acres to single men over 17 years of age who settled in the Colony prior to the 1st of July 1848; but who became heads of families subsequent to that date. —

— Fourth. — In cases where the affidavits of applicant and the affidavits of the Witnesses were not made in person before the Court issuing the Certificate. —

This business [illegible]

section of the provisions of "An act relating to lands in Peters Colony" approved 10th Feby. 1852 (which is the only law that authorizes County Courts to issue certificates to settlers in Peters Colony) all certificates issued to persons named in the foregoing paragraphs numbered 1, 2, and 3, and also all issued upon such proof as that mentioned in paragraph numbered Four are illegal and void.

It is expected that under this appointment, you will make a careful examination of the records of the different County Courts of the Counties embraced in the limits of Peters Colony in which certificates have issued to Peters Colonists; and that you will also examine himself in regard to the manner in which such records have been kept; and that you will make a full report of all the certificates issued by each Court, stating the name of the Colonist, and the quantity of land, with the date when the certificate issued.

It is also expected that you will state in your report, each case where certificates have been issued to any of the persons named in the foregoing paragraphs numbered 1, 2, and 3 and also each case where the certificate issued upon such proof as that mentioned in paragraph numbered Four.

Should you in your examination find any other particulars than those herein specified, in which the said Courts or any of them have disregarded the law in issuing such certificates it is expected that you will also report the facts.

The law allows you a compensation of five dollars a day for every day you may be necessarily engaged under this appointment, and it is desired that you shall make your report as early as convenient.

Your attention is particularly called to the proceedings of the County Courts of Grayson, Cooke and Wise Counties.

I send to your joint address herewith a copy of the volumes of laws containing the act under which you are appointed, and also a copy of the volume containing the act which authorizes County Courts to issue certificates to Peters Colonists.

Very Respectfully
Your Obt. Svt.
E M Pease

The State of Texas

Whereas, Juan Cervantes was convicted of murder in the second degree, at the Fall term, in the year 1856 of the District Court of Bexar County in said State, and was sentenced therefor to be confined at hard labor in the State Penetentiary for the term of three years; where he is now undergoing his sentence; and Whereas, the jury in their verdict recommended the said Cervantes to the clemency of the Executive, and it having been made known to me that the said Cervantes has hitherto borne a good character.

Now therefore in consideration of the foregoing circumstances; I, E. M. Pease Governor of said State by virtue of the authority vested in me by the Constitution and laws thereof, do hereby grant to the said Cervantes a pardon for said Offence, and hereby direct the Keeper of the State Penetentiary to release and discharge the said Cervantes from all further confinement for said Offence.

In testimony whereof I have hereunto signed my name, and caused the Great Seal of the State to be affixed, at the City of Austin, this the 18 day of February 1857 and of the Independence of Texas the twenty first Year.

Seal

By the Governor

E M Pease

Fred Hollman

Act'g Sec'y of State.

The State of Texas.

Whereas, Alexander Nordhans and F. Kopman were convicted of an aggravated assault and battery upon John H. Henriques at the Fall term in the year 1856 of the District Court of Bexar County in said State, for which they were severally fined in the sum of fifty dollars and sentenced to be confined in the County Jail fifteen days; and whereas said conviction is represented to have been obtained mainly upon the testimony of said Henriques, which went to show that the said parties were at the time of the assault armed with a Six-Shooter and knife; and whereas the affidavit of a respectable witness has been presented to me, stating that he was present and witnessed said assault and saw no Six shooter or knife in the hands of either of said parties; and whereas an application has been presented to me from respectable citizens of said County for the pardon of said parties, stating that they are ordinarily quiet and peaceable citizens, and generally esteemed by the community.

Now therefore in view of said circumstances, I, E. M. Pease Governor of said State, by virtue of the authority vested in me by the Constitution and laws thereof do hereby grant to the said parties a pardon and release from all or any further confinement in the County Jail of Bexar County under and by virtue of said conviction and the judgement rendered thereon.

In testimony whereof I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin this the 18th February 1857 and of the Independence of Texas the twenty first year.

Seal

By the Governor

Bird Holland

Act'g Sec'y of State.

E M Pease

Department of State
Austin, Feby. 23d. 1857.

I, the undersigned Actg. Secretary of State of the State of Texas, do certify, that "The Galveston and Red River Railway Company" has filed in this Department, an acceptance of "An Act amendatory of and supplementary to an act to establish the Galveston and Red River Railway and the several acts supplemental thereto" approved Septr. 1st. 1855; and also the change of name, from "The Galveston and Red River Railway Company" to "The Houston and Texas Central Railway Company."

Given under my hand and the seal of the Department of State the day and year first above written.

(Seal)

Brin. Holland
Actg. Secy. of State.

The State of Texas.

Whereas, A vacancy has occurred in the Office of Judge of the Fourteenth Judicial District, by the death of the Hon. James Webb. Now, therefore, I, E. M. Pease, Governor of said State, by virtue of the authority vested in me by the laws thereof, do hereby order that an election shall be held on the First Monday, The second day of February, 1857, in the several counties composing said District, Viz: In the counties of San Patricio, Live Oak, Karnes, Goliad, Refugio and Nueces, to fill said vacancy. The Chief Justices of said Counties are hereby required to cause said election to be held on the day aforesaid, and returns thereof to be made to the Office of the Secretary of State, in accordance with law.

In case the Office of Chief Justice of any of said Counties shall be vacant; or any of said Chief Justices are absent from the County, or unable to discharge his duties, then any two of the County Commissioners are required to cause said election to be held, and returns made as aforesaid.

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed at the City of Austin, this the Seventeenth day of December 1856, and of the Independence of Texas the twenty first year.

Seal

E M Pease

By the Governor

Pridy Hallard

Act'g Sec'y of State.

Proclamation.

By the Governor of the State of Texas.

Whereas, a vacancy has occurred in the Office of Associate Justice of the Supreme Court, by the death of the Hon. Abner S. Lipscomb. Now, therefore, by virtue of the authority vested in me by the Constitution and Laws, I, E. M. Pease, Governor of the State of Texas, do hereby order that an election shall be held in the several counties of this State on the

First Monday,

The Second day of February, 1857

to fill said vacancy.

The Chief Justices of the several counties, or in case the Office of Chief Justice is vacant, or he shall be absent from the County, or unable to discharge the duties, then any two of the County Commissioners will cause said election to be held and returns thereof to be made to the Office of Secretary of State according to law.

In testimony whereof, I, have hereunto signed my name, and caused the Great Seal of the State to be affixed, at the City of Austin, this the Seventeenth day of December A.D. 1857, and of the Independence of Texas the twenty first year.

Seal

By the Governor.

E M Pease

Bird Holland

Act'g Sec'y of State.

The State of Texas.

Whereas, Samuel Ralph was convicted of an attempt to commit a rape upon the person of Mrs. Elizabeth C. Weaver at the Fall term of the District Court in the year 1856. for the County of Fayette in said State, and was sentenced therefor to be confined to hard labor in the State Penitentiary for the term of one year; and whereas, a statement of the facts proved on his trial; shows he was convicted on the testimony of Mrs. E. C. Weaver alone, who stated, she did not call for help or make any complaint, except to a colored woman, until she was sent for by the Grand-Jury on the 24. Nov., although the attempt was alleged to have been made on the night of the 8. of Nov. and although she says that a person occupied a room across a passage some 3 or 4 steps distant from her room; and whereas a petition has been presented to me signed by a large number of respectable citizens of said county of Fayette for the pardon of said Ralph, in which they state that all the circumstances attending the affair, repel the presumption that said Ralph intended to use force or violence towards Mrs. Weaver, which statement seems to be warranted by the facts proved on the trial;

Now, therefore, I, E. M. Pease Governor of said State by virtue of the authority vested in me

by the Constitution and laws thereof, do hereby grant to the said Samuel Ralph a pardon for said offence, and hereby direct the Sheriff of said County of Fayette or any other officer of this State who may have said Ralph in confinement for said offence to release and discharge him from any further imprisonment therefor.

In testimony whereof I have hereunto signed my name and caused the Great Seal of the State to be affixed at the City of Austin, this the 17. day of December A.D. 1856, and of the Independence of Texas the twenty-first year.

Seal

By the Governor. E M Pease

Geo. W. Holland
Act. Sec. of State

State of Texas

To all and singular the Sheriffs, Constables and other civil Officers of said State, Greeting.

Whereas, it has been represented and made known to me, by Robert C. Wickliffe the Governor of the State of Louisiana, that William Burnels, John Burnels, Sarah Burnels and James S. Beaty stand charged by Indictment found in the District Court of the Twelfth Judicial District of said State in and for the Parish of Ouachita in said State of Louisiana with the crime of murder, and that said William Burnels, John Burnels, Sarah Burnels and James S. Beaty have fled from justice in said State of Louisiana and taken refuge in the State of Texas; and whereas the said Governor of the State of Louisiana in pursuance of the Constitution and laws of the United States, has demanded of me that I cause the said William Burnels John Burnels, Sarah Burnels and James S. Beaty to be arrested and delivered to William D. Reese, the duly authorized agent appointed by said

Governor of the State of Louisiana to receive said William Runnels, John Runnels, Sarah Runnels and James S. Beaty into custody and convey them to the State of Louisiana. and whereas the said representation and demand are accompanied by a copy of said Indictment, duly certified as authentic by the said Governor of the State of Louisiana.

Now, therefore, I, E. M. Pease Governor of the State of Texas, do, by virtue of the authority vested in me by the Constitution and laws of this State, and of the United States, issue this my warrant, commanding all Sheriffs, Constables and other civil Officers of this State, to arrest and to aid and assist in arresting the said William Runnels, John Runnels, Sarah Runnels and James S. Beaty and to deliver them when arrested to the said William D. Pease agent of the said State of Louisiana in order that they may be taken back to the said State of Louisiana to be dealt with for the crime of murder according to law.

In testimony whereof I have hereunto signed my name and caused the Great Seal of the State to be affixed; done at the City of Austin this the twenty-eighth day of December A. D. 1856. and in the year of the Independence of the United States, the 81st and of Texas the 21st.

Seal

E M Pease

By the Governor

Kirk Holland
Act'g. Sec'y. of State.

The State of Texas.

Whereas, A. M. Dignowity was convicted at the Fall Term, in the year 1856, of the District Court of Bexar County, for Larceny in destroying a Title Bond for real estate, from the said Dignowity to William Francis and Matilda Francis which conviction was subsequently affirmed by the Supreme Court; whereupon the said Dignowity was sentenced by the said District Court to be confined for said Offence, to hard labor in the State Penitentiary for the term of one year; and whereas facts and circumstances have been made known to me in relation to the said transaction, which lead me to the conclusion that the said Dignowity did not intend to commit a crime against the laws of this State, and whereas a Title was subsequently voluntarily executed and delivered by said Dignowity in accordance with the terms of said bond, so that no injury resulted from the destruction thereof; and whereas the said Dignowity has already been imprisoned under said charge in the County Jail of Bexar County for about two months and it is believed that he has already been sufficiently punished to satisfy public justice for the offence so charged in the Indictment.

Now, therefore, I E. M. Pease Governor of said State, by virtue of the authority vested in me by the Constitution and laws thereof, do hereby grant to the said A. M. Dignowity a full pardon for said offence and hereby direct the Sheriff of Bexar County or any other officer of this State who have the custody of said Dignowity to release and discharge him from all further confinement for said Offence.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed, done at the City of Austin this the 24 day of December A. D. 1856, and of the Independence of Texas the 21st year.

Seal.

E M Pease

By the Governor

Pin Holland

Actg. Secy. of State.

The State of Texas.

Whereas, it was certified to me by Thomas Green Clerk of the Supreme Court of said State on the 27. day of October 1856, that Justices Lipscomb and Wheeler were disqualified to hear and determine causes No. 676, City of Galveston vs. Menard, and No. 677, City of Galveston vs. Lufkin; pending in said Supreme Court at Galveston. Now, therefore, I, E. M. Pease Governor of said State, by virtue of the authority vested in me by the Constitution and laws thereof, do, hereby appoint and commission E. A. Palmer Esqr as a Special Judge in the place of said Wheeler to hear, and determine said causes.

Seal

In testimony whereof, I have hereunto set my hand and caused the Great seal of the State to be affixed at the City of Austin, this the 24. day of December A. D. 1856, and of the Independence of Texas the 21. year.

E M Pease

By Wm Sciernett
First Asst.

Asst. Secy. of State.

The State of Texas.

Whereas, it was certified to me by Thomas Green Clerk of the Supreme Court of said State on the 1st. day of November 1856 that Justices Lipscomb and Wheeler were disqualified to hear and determine cause No. 35 — Edgar, vs City of Galveston pending in said Supreme Court at Galveston. Now, therefore, I, E. M. Pease Governor of said State, by virtue of the authority vested in me by the Constitution and laws thereof, do hereby appoint and commission E. A. Palmer Esq. as a Special Judge in the place of said Wheeler to hear and determine the said cause.

Seal

In testimony whereof, I have hereunto set my hand and caused the Great Seal of the State to be affixed at the City of Austin, this the 24. day of December 1856 and of the Independence of Texas the 21. year.

E M Pease

By Wm Sciernett
First Asst.

Asst. Secy. of State.

The State of Texas

To all to whom these presents shall come — Greeting.

Know Ye.— That reposing special trust and confidence in the integrity, Diligence and Discretion of William E Jones, I do hereby appoint him a Trustee under the provisions of "An Act to establish an Institution for the Education of the Deaf and Dumb" approved 16. of August 1856: and do hereby authorize and empower him to execute and fulfill the duties of this appointment according to law, and during the term of Four years from the date hereof unless sooner revoked by the Governor of this State, for the time being

In testimony whereof I have hereunto signed my name and caused the Great seal of the State to be affixed at the City of Austin, this the Eleventh day of September 1856 and of the Independence of Texas the 21st year.

Seal

By the Governor

E M Pease

Edward Clark
Secretary of State.

Similar appointments were made out for Thomas Green, Edward Fontain, J. M. Clifton and F. T. Duffau.

The State of Texas

To all, to whom these presents shall come Greeting

Know ye. That reposing special trust and confidence in the Integrity, Diligence and discretion of R. Theron Esq. I do hereby appoint him "Weigher of Cotton for the Port of Sabine Pass," in the County of Jefferson in said State, under the provisions of "An act creating the Office of Weigher of Cotton for certain Ports in this State," Passed September 1st 1856. And I do hereby authorize and empower him to execute and perform the duties of this appointment according to law, for and during the term of three years from the date hereof, unless sooner removed by the Governor of this State for the time being.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin, this the Ninth day of March 1857, and of the Independence of Texas the twenty second year.

(Seal)

By the Governor
Edward Clark
Secretary of State

E M Pease

Similar appointment was made out for James A. Johnson Esq. for the "Port of Sabine" in the County of Nacogdoches.

The State of Texas

To all, to whom these presents shall come — Greeting.

Know ye, — That reposing special trust and confidence in the Integrity, Ability, and Discretion of the Hon. John H. Phillips, I do hereby appoint him a Trustee under the provisions of "An Act to establish a Penitentiary for the Education of the Blind," approved August 11, 1845, and do hereby authorize and empower him to execute and perform the duties of this appointment according to law for and during the term of Four Years from the date hereof, unless sooner revoked by the Governor of the State for the time being.

In testimony whereof, I have hereunto signed my name, and caused the great seal of the State to be affixed, at the City of Austin, this the Tenth day of March, 1857, and of the Independence of Texas, the Twenty-second year.

By the Governor:

Edward Clark

Secretary of State.

E M Pease

The State of Texas

To all, to whom these presents shall come — Greeting

Know ye. That reposing special trust and confidence in the Integrity, Diligence and Discretion of C. R. Johns Esq of Kerr County, I do by virtue of the authority vested in me by the provisions of "An Act for the erection and support of a Lunatic Asylum" Approved August 29 1856; hereby appoint him the said Johns, one of the Commissioners, to select a proper site for said Lunatic Asylum, and I do hereby authorize and empower him to execute and fulfil all the duties of such a Commissioner under said recited act, this appointment to take effect from the 20th day of March 1857

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed, at the City of Austin, this the 19 day of March 1857, and of the Independence of Texas the twenty second year

(Seal)

By the Governor
Edward Clark
Secretary of State

E M Pease

A similar appointment was made out, for E. T. Prewett Esq. of Liberty County, to take effect from the 16 day of March 1857. A.C.

Jacob Pagan Esq. of Collin County, to take effect from the 10 day of March 1857.

Secretary of State

The State of Texas

To all and singular the Sheriffs, Constables and other civil Officers of said State - Greeting

Whereas, it has been represented and made known to me by Franklin H. Johnson, the Governor of the State of Georgia, that Sumner Powell late of said State of Georgia stands charged by affidavit of Simon M. Fortner, made before Daniel G. Tatt, a Justice of the Peace in and for the County of Cinnamon and State of Georgia, with the crime of 'Embezzling and Stealing Public Money' - and that the said Sumner Powell has fled from justice out said State and taken refuge in the State of Texas: and whereas, the Governor of the State of Georgia in pursuance of the Constitution and laws of the United States, has demanded of me that I cause the said Sumner Powell to be arrested and delivered to Simon M. Fortner, thereby authorized agent appointed by the said Governor of the State of Georgia to receive the said Powell into custody and convey him to the State of Georgia: and whereas, the said representation and demand are accompanied by affidavit, being certified to be authentic by the said Governor of the said State of Georgia. Now therefore, I, E. M. Pease Governor of the State of Texas, do by virtue of the authority vested in me by the Constitution and laws of this State and of the United States, issue this my warrant commanding all Sheriffs, Constables and other civil Officers of this State to arrest, and to aid and assist in arresting the said Sumner Powell, and to deliver him when arrested to the said Simon M. Fortner agent of said State of Georgia, in order that he may be taken back to the said State of Georgia to be dealt with for the crime of 'Embezzling and Stealing public money' according to law.

Seal

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed, Done at the City of Austin this the 20th day of March AD 1857, and in the year of the Independence of the United States the Eighty-first and of Texas the Twenty-second.

Edward Clark Secretary of State. E M Pease

The State of Texas

Whereas, such information has been communicated to me as to induce the belief that Land Certificates for six hundred and forty acres and for three hundred and twenty acres have been improperly and illegally issued by some of the County Courts within the limits of what is known as Peter's Colony without such proof as the law requires, and that such Certificates have also been issued by some of said Courts to persons not legally entitled to receive them. Now therefore, for the purpose of ascertaining the truth of said information, I, E. M. Pease Governor of said State having full confidence in the Integrity, Diligence and discretion of Austin R. Mannion Esq. of Cooke County: do hereby appoint him the said Mannion, in the place of William H. Bourland Esq. heretofore appointed, but declines to act, in conjunction with R. P. Smith Esq. and H. G. Fendrick Esq. both of Grayson County, with the power to examine the Records of the County Courts of the Counties in the limits of said Peter's Colony, in which Certificates have been issued under the provisions of "An Act relating to Lands in Peter's Colony", Approved 10th Feby 1852, and also examine persons in regard to the manner in which said Records have been kept, and make a full report of such examinations in accordance with a letter of instructions which accompanies this appointment.

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed at the City of Austin, this the twenty-first day of March A.D. 1857, and of the Independence of Texas, the twenty second year.

Seal

E M Pease

By the Governor:
J. Edward Clark
Secretary of State.

The State of Texas

Whereas, Mathias Lindenburg was heretofore convicted of Perjury at a District Court held in and for the County of Bastrop in said State for which he was sentenced to be confined at hard labor in the State Penitentiary for the term of Five years - where he has now been in confinement under said sentence for about two years; and whereas, it has been represented to me that said Lindenburg is a German by birth, and imperfectly acquainted with the English language, and there is some doubt whether he fully comprehended the questions propounded to him, in answering which, he was charged to have committed Perjury - and whereas, the said Lindenburg has a Wife and a number of children, who by his imprisonment are deprived of all means of support except the labor of said Wife.

In view of these circumstances it is believed that the punishment he has already suffered, has been sufficient to atone to the public for his offence. Now therefore, by virtue of the authority vested in me by the Constitution and laws of said State, I, E. M. Pease, Governor thereof, do hereby grant to the said Lindenburg a pardon for said offence and hereby direct the keeper of the State Penitentiary to release him from all further confinement therefor.

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed, at the City of Austin, this the twentieth day of March A.D. 1859, and of the Independence of Texas, the twenty-second year.

Seal

By the Governor:
Edward Clark
Secretary of State

E M Pease

The State of Texas

To all, to whom these presents shall come — Greeting:

Know ye, That reposing special trust and confidence in the Integrity, Diligence and Discretion of James Gardner Esq. I do hereby appoint him the said Gardner, in the place of Otho Coney resigned, "Weigher of Cotton for the Port of Lavaca," in the County of Calhoun, in said State, under the provisions of "An Act creating the Office of Weigher of Cotton for certain ports in this State," Passed September 8th 1856. — and I do hereby authorize and empower him to execute and perform the duties of this appointment according to law, for and during the term of Three years from the date hereof, unless sooner removed by the Governor of this State, for the time being.

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed, at the City of Austin, this twenty-third day of March A.D. 1857. and of the Independence of Texas, the twenty-second year.

(Seal of State)

By the Governor

Edward Clark

Secretary of State.

E M Pease

The State of Texas

Whereas, application in writing, has been made to me, by W. T. Owens Light House Inspector of the 7th District, on behalf of the United States, for a cession of exclusive jurisdiction from the State of Texas to the said United States over a certain tract or parcel of land situated and being in the County of Williamson in said State, described as follows, viz: Beginning at a cedar post [illegible] stakes [illegible] same [illegible] high water mark on the South-eastern bank of the Brazos River, opposite to New Tom at Calhoun, and from as near as possible the Stone of Capt. Baker, and from thence by [illegible] S.S.E. ½ E. thence in a direct line N.N.W. ½ W. fifty feet to a stake. Thence W.S.W. ½ S. fifty feet to a stake. Thence S.S.E. ½ E. fifty feet to a stake. Thence E.N.E. ½ N. to the place of beginning, containing fifty feet square, for a tract of land fifty feet each way, as a site on which to erect and maintain a Light House, and whereas, the application is accompanied by a copy of a deed for said land from Stephen Walker to the United States, certified by Wm. P. Kelly Clerk of the County Court of Williamson County under his hand and the seal of said Court to be a true copy of the original recorded in his Office, together with a further certificate from said Clerk to the effect in like manner, that said original is recorded of his Office, the right to said land was in said State;

Now therefore, I, E. M. Pease Governor of said State, by virtue of the authority vested in me, under an Act, Entitled "An Act for ceding to the United States jurisdiction of certain lands in this State for public purposes," approved December 17th 1849, have and by this instrument do, in the name and behalf of the State of Texas, cede to the United States exclusive jurisdiction over the said described tract or parcel of land, to hold, use, occupy, and possess and exercise said jurisdiction over the same as a site on which to erect and maintain a Light House. Provided always that this cession is granted and made as aforesaid upon the express condition, that the State of Texas shall retain a concurrent jurisdiction with the United States in and over the said lands so ceded and every portion thereof, for

that all process, civil or criminal, issuing under the authority of said State, or any of the Courts or judicial Officers thereof, may be executed by the proper Officers thereof, upon any person or persons amenable to the same, within the limits and exclusive of the lands so ceded, in like manner or to like effect as if the said act had never been passed, and this instrument had never been made, saving, however, to the United States security to their property within said limits and exclusive jurisdiction of the same and of said land upon any taxation under the authority of this State, whilst the same shall continue to be owned, held, used and occupied by the United States as a site on which to erect and maintain a light house and not otherwise.

In Testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed, at the City of Austin, this the twenty-eighth day of March A.D. 1857, and of the Independence of Texas, the twenty-second year.

(Seal)

Edward Clark
Governor of State.

Ed Rose

Returns of an Election held on the 2d day of February 1857. for Associate Justice of the Supreme Court.

Counties	O. M. Roberts	P. W. Gray	T. J. Jennings	R. E. Franklin	John Taylor
Anderson	114	37	133	4	6
Angelina	6	4	3	3	
Aransas					
Austin	7	87	1	7	
Bandera					
Bastrop	43	92	16	2	8
Bell	58	33	1	1	1
Bexar	119	361	9	4	9
Brazoria			36		
Bowie	48	5	3		
Brazos	7	71	11	2	
Bradley	3	17	6	2	
Brown					
Burleson	10	47	7	3	
Caldwell	9	66	18	15	5
Calhoun	2	9	11	31	
Cameron	19	25		20	
Cass	114	72	25		4
Chero[illegible]	132	62	94	1	3
Collin	8	101	10	11	
Comal	1	83	29		1
Commanche					
Cooke	20		12		
Coryell	48	1	5		17
Dallas	55	14	95		1
Denton	2	19	55		
DeWitt	1	55	1	3	1
Ellis	72	8	1	1	3
El Paso		292			
Erath					
Falls	3	30	4	3	1
Fannin	20	7	64		
Fayette	35	58	10	3	18
Fort Bend	1	50	1	6	
Freestone	11	10	18	4	3
Galveston	80	108	2	228	2
Gillespie	3	50			
Goliad	22	37	3	40	41
	1298	331	688	463	126

Counties	O. W. Roberts	J. W. Gray	J. J. Jennings	R. B. Franklin	John Taylor
Gonzales	9	40	3	13	1
Grayson	38	27	2		
Grimes	3	77	7	14	
Guadalupe	4	62	16	26	12
Harris	8	484	2	43	
Harrison	91	68	81	2	1
Hays	23	13	3	21	
Henderson	43	12	62		
Hidalgo					
Hill	12	22			
Hopkins	182	3	19	1	4
Houston	47	19	6	3	
Hunt	44	11	5		
Jack					
Jackson		28	4	7	
Jefferson		10		11	
Jasper	81	33		8	9
Jones	142	29	91	2	
Kaufman	64	35	82	9	11
Kerr	2	1	9		1
Kinney		4	15	2	
Kimble					
Lamar	19	17	90		
Lampasas	5	2	29		
Lavaca	1	36	4	1	14
Leon	14	27	3	84	12
Liberty	2	68	5	28	1
Limestone	28	39			6
Lipscomb	1	3	5	2	
Lubbock			13	3	
McCulloch					
McLennan	19	39	22		2
McCoy	6	36	5	2	
Madison	30	1			
Marion					
Medina		57	5		1
Milam	12	36	17	36	
Montgomery	19	34	5	29	2
Nacogdoches	75	22	189	6	
Navarro	109	10	40		
Nueces	20	2			
Orange	9		7		
[illegible]					

Counties	M. M. Roberts	R. M. Gray	T. J. Jennings	B. G. Franklin	John Taylor
Orange	6	46	2	6	
Red Land					
Lamar	144	2			
Parker					
Polk	11	79	3	66	
Presidio					
Red River	74	4	19	2	4
Refugio	67		2	48	
Robertson	48	40		1	5
Rusk	548	76	31	2	
Salina	83	2			
San Augustine	154	6	3	1	
San Patricio	2	32	10	7	4
San Saba					
Shelby	203	3	4		
Smith	177	22	24		1
Starr					
Stephens	130	3	28		1
Sterling	112	3	1		
Stonewall	203	100	16	14	9
Strawberry	34	14	4	8	
Tarrant	11	18	2	43	1
Thallow	30	4	20		
Tinkle	1	6	4	1	4
Van Zandt					
Washington	9	30	3	1	
Walker	45	149	28	4	
Washington	68	170	6	66	4
Wise					
Williamson		20	8		
Wallingford	13	50	22	16	2
Young	108		16		
Zavala					
		932	303	256	30

Department of State
Austin, Texas

On this the third day of April 1857, I, Edward Clark Secretary of State of the State of Texas, in the presence of E. M. Pease Governor, and James Willie Attorney General of said State, proceeded to open and count the returns made to this Office, according to law, of an election held in the several Counties of this State on the 2d day of February 1857, for one Associate Justice of the Supreme Court, and that the foregoing pages 599, 600 & 601. exhibits a correct statement of the vote so returned.

Ed Clark

The State of Texas

I, E. M. Pease Governor of said State, do hereby certify, that from an examination of the returns made according to law, to the Secretary of State, of the votes given for Associate Justice of the Supreme Court of the State of Texas, at an election held on the 2d day of February 1857, in the several counties of said State, it appears that H. P. N. Gammel received the highest number of votes given for said Office, and I hereby declare the said H. P. N. Gammel has been duly elected to said Office.

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed, at the City of Austin, this the third day of April A.D. 1857, and of the Independence of Texas the fifty-second year.

Ed Pease

(Seal)

By the Governor
Edward Clark
Secretary of State.

Returns of an election held on the 2d day of February 1857 for a Judge of the Fourteenth Judicial District of the State of Texas

County	M. R. Norton	John R. McKinney	R. H. Neal	W. [illegible] Jones
Goliad	35	160	3	22
Karnes	5	36	2	170
Live Oak	[illegible]	61	8	30
Nueces	[illegible]	[illegible]	114	2
Refugio	77	17	11	9
San Patricio	[illegible]	21	41	–
	[illegible]	338	179	233

[illegible] State of Texas
[illegible] Texas.

[illegible] day of April 1857 I Edward [illegible] of State of the State of Texas, in presence of [illegible] and James Willie [illegible] to open and count the [illegible] for the office [illegible] the said District [illegible] State of Texas [illegible]

E M Pease

The State of Texas.

I E. M. Pease [illegible] of said State, [illegible] Secretary of State according to [illegible] of said District, at an election held on the second day of February [illegible] M. R. Norton [illegible] the aforesaid office [illegible]

hereby certify that said W. R. Morrow has been duly elected to said office.

In testimony whereof, I have hereunto set my name, and caused the Great Seal of the State to be affixed, at the City of Sacramento, this the third day of April A.D. 1857, and of the Independence of Texas, the twenty-second year.

Seal of State

E. W. Pease

By the Governor

Edward Clark

Secretary of State.

The State of Texas

This cause came on to be heard at the April term, 1857, of the District Court of Freestone County, and said State's final judgment was entered in favor of the State against Leonard Lockridge, Sam and Robert Hall, and a writ of scire facias issued for the appearance of said defendants to answer a judgment finding a debt and equitable mortgage against said property, in the sum of one thousand dollars, which judgment was based upon a note given by said defendants to one to secure to the plaintiff the payment of said note, and said defendants appeared in said court to answer said suit, and said note was found under the mortgage and find in the amount for dollars, with interest. Now therefore, E. W. Pease, governor of the State of Texas, by virtue of the authority vested in me by the Constitution and laws thereof, do hereby remit all of said judgment for one hundred dollars, specifying so much thereof as relates to the commissions of the District Attorney for obtaining the same, and also remitting the part of judgment which condemned and adjudged to pay the costs of said suit.

In testimony thereof, I have hereunto affixed my name and caused the Great Seal of the State to be affixed, at the City of Austin, this the twelfth day of April, A.D. 1857, and of the Independence of Texas the twenty-second year.

Seal of State

E. W. Pease

By the Governor

Edward Clark

Secretary of State.

Proclamation

By the Governor of the State.

Whereas the Legislature, at its adjourned session 1857, passed a Joint Resolution, proposing to amend the Constitution of the State which is in these words, "Joint Resolution proposing an amendment to the Constitution.

Be it resolved by the Legislature of the State of Texas, The following be proposed as an amendment to the Constitution of the State of Texas, which, when ratified, as provided for by the twenty-second section of the eighth article of said Constitution shall be valid to all intents and purposes, as a part of said Constitution, viz:

"No person shall hereafter be appointed to any State office in the Supreme Court, District Court, District or County Clerks, Sheriffs, Justices of the Peace, Constables, or Public Officers, Commissioners of the State or Commissioners of the General Land Office, who shall not have been a resident citizen of this State for at least three years next preceding his appointment, and the officers now in office shall continue to discharge the duties of such office, until the time of the next general election established by law for the election of State or County Officers, and until their successors shall have been elected and qualified."

And whereas it becomes my duty, in obedience to the directions of the Constitution to have said Joint Resolution published in the public papers of the State for at least three months before the next general Election of Representatives for the Constituents of the people and to request the returning officers of elections at the next election to be then holden hereof, on the first Monday, the 3rd day of August 1857, to open poll at the usual places in their respective Counties, to take the vote upon said proposed amendment to the Constitution, of all those who vote for Representatives and make a return of said election to the Secretary of State, giving the names of all those voting for Representatives, who have voted on said proposed amendment.

Now therefore, I, E. M. Pease, Governor of said State do hereby order and direct that the Chief Justices of the several Counties of the State or any two of the County Commissioners if necessary cause polls to be opened at the second election aforesaid of their respective

Counties, on the day and at the time of the election of Representatives to the Legislature, to wit: Monday the 3rd day of August 1857, to take the vote upon said proposed amendment to the Constitution, of all those who vote for Representatives. The vote may be expressed thus, "For the amendment to the Constitution," or, "Against the amendment to the Constitution," as the voter wishes - and to make return of said election, giving the names of those voting for Representatives who have voted on said proposed amendment, to the Secretary of State at Austin, endorsed, "Election Returns of County on the proposed amendment to the Constitution."

In testimony whereof I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin, this the 11th day of April A.D. 1857, and of the Independence of Texas, the Twenty-second year.

Seal of State

E M Pease

By the Governor
Edward Clark
Secretary of State.

N.B.- The different papers of the State are authorized to publish said proposed amendment for three months before the next election of Representatives and members and their accounts to the Secretary of State.

Edward Clark
Secy of State.

[illegible]

Whereas [illegible] William Fields [illegible]

[illegible]

[illegible] April [illegible]

[illegible] hundred [illegible]

[illegible] ninety-second [illegible] year [illegible].

E M Pease

By the Governor

Edward Clark

Secretary of State.

The State of Ohio

Whereas, Robert Johnson was convicted of the crime of [illegible] at the Spring Term in the year 1852, of the Criminal Court of Cuyahoga County, for which he was sentenced to five years hard labor in the State Penitentiary, which sentence was afterwards [illegible] for a term of six months, and whereas, it has been represented to me by the Superintendent and two of the directors that the said Johnson has been an industrious and orderly convict, and that he has served the State faithfully in every thing about which he has been employed at the Penitentiary, in consideration whereof, I do command the said Johnson shall be pardoned for such part of his sentence as may remain before the expiration of his term. Now therefore, in consideration of the premises, I do, by virtue of the authority vested in me by the Constitution and the laws thereof, and by the advice of the Superintendent of the State Penitentiary, to release and discharge the said Robert Johnson from all further imprisonment for said offence.

X do hereby grant to the said Johnson a full pardon, for and offence

In witness whereof, I have hereunto signed my name, and caused the great seal of the State to be affixed, at the City of Columbus, this twenty-second day of April, A.D. 1856, and of the Independence of the United States the eighty-second year.

C. Reuse

By the Governor:

Edward Clark
Secretary of State.

The State of Texas.

To all and singular, the Sheriffs, Constables and other civil Officers of said State — Greeting.

Whereas, it has been represented and made known to me by John A. Winston the Governor of the State of Alabama, x stands charged by Indictment found in the City Court of Mobile in said State, with the crime of "Forging a promissory note", and that the said Thomas J. McNamee has fled from justice in said State, and takes refuge in the State of Texas: and Whereas, the Governor of the State of Alabama in pursuance of the Constitution and laws of the United States, has demanded of me, that I cause the said Thomas J. McNamee to be arrested and delivered to David C. Campbell, the duly authorized agent, appointed by the said Governor of the State of Alabama to receive the said Thomas into custody, and convey him to the State of Alabama: and Whereas, the said representations and demands are accompanied by a copy of said Indictment, duly certified to be authentic by the said Governor of the said State of Alabama. Now therefore, I, E. M. Pease Governor of the State of Texas, do by virtue of the authority vested in me by the Constitution and laws of this State and of the United States, issue this my warrant, commanding all Sheriffs, Constables and other civil Officers of this State to arrest, and to aid and assist in arresting the said Thomas J. McNamee, and to deliver him when arrested to the said David C. Campbell, agent of the said State of Alabama, in order that he may be taken back to the said State of Alabama to be dealt with for the crime of "Forging a promissory note", according to law.

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed, at the City of Austin, this the second day of May, A.D. 1857, and in the year of the Independence of the United States the Eighty-first, and of Texas, the twenty-second.

E M Pease

(Seal)

By the Governor
Thos. Affleck
Secy. Dept. of State.

x that Thomas J. McNamee stands charged by Indictment in the City Court of Mobile

Returns of an election held on the 2d day of March 1857 for a Judge of the First Judicial District of the State of Texas.

James H. Bell

Austin County		31.
Brazoria	"	170
Colorado	"	42
Fayette	"	56
Fort Bend	"	53
Matagorda	"	75
Wharton	"	43. = 470.

Statement of State

On this the Fourth day of May 1857, I, Bird Holland Stacy Secretary of State of the State of Texas, in the presence of E. M. Pease Governor, James Willie Attorney General being absent attending the Supreme Court at Austin, proceeded to open and count the returns made to this Office, according to law, of an election held in the Twenty-fourth Senatorial District composing the First Judicial District of the State of Texas, on the second day of March 1857, for a Judge for said District, and that the above tabular exhibit is a correct statement of the votes so returned.

Bird H. Holland
Secty Secy of State.
E M Pease

State of Texas.

I, E. M. Pease Governor of said State, do hereby certify that I have duly ascertained the returns of the Secretary of State, according to law of the votes given for Judge of the First Judicial District of said State, at an election held on the second day of March 1857, for a Judge for said District, composing the counties of Austin, Brazoria, Colorado, Fayette, Fort Bend, Matagorda, and Wharton; and that James H. Bell has been duly elected Judge for said District.

E M Pease

Secty Secy of State.

The State of Texas.

Whereas application in writing has been made to me, by W. H. Stevens Light-House Inspector of the 9th District, on behalf of the United States, for a cession of exclusive jurisdiction, from the State of Texas to the said United States, over a certain tract or parcel of land, situate and in the County of Nueces in said State, described as follows, viz: Lot number one, (1.) in Block number six (6.) on the Bluff part of the City of Corpus Christi, and bounded as follows, to wit: commencing at the corner of said Block number six, (6.) formed by Broadway and Buffalo Streets, runs west one hundred and fifty (150.) feet along said Buffalo Street; thence North fifty (50.) feet; thence east one hundred and fifty (150) feet to Broadway, and from thence South along Broadway fifty (50) feet to the place of beginning, as a site on which to erect and maintain a Light-House: and whereas, the said application is accompanied by a copy of a Deed for said tract from Nelson Nueces, J. Bunside and Jesse Value to the United States, certified by A. H. James, a Notary Public in and for Galveston County, in said State, under his hand and official seal, to be a true copy of the original as executed by John Bunside, Nelson McNear and Jesse Value to the United States of North America, together with the certificates of authentication thereto annexed and signed by S. A. Ricardo and John Seidl, Commissioners of the State of Texas, and attested by the official seal of said Commissioners.

Now therefore, I, A. H. Bean, Governor of said State, by virtue of the authority vested in me, under an act, entitled, "An Act for ceding to the United States, "jurisdiction of certain lands in this State for certain "purposes", approved December 19th 1849. have and by this instrument do, in the name and behalf of the State of Texas, cede to the United States exclusive jurisdiction over the said described tract or parcel of land, to hold, use, occupy, own, possess and exercise said jurisdiction over the same as a site on which to erect and maintain a Light-House, Provided always, that this cession is made and

as aforesaid upon the express condition, that the State of Texas shall retain a concurrent jurisdiction with the United States in and over the said land so ceded, and every portion thereof, so far, that all process, civil or criminal, issuing under the authority of said State, or any of the courts or judicial officers thereof, may be executed by the proper officers thereof, upon any person or persons amenable to the same, within the limits and extent of the land so ceded, in like manner or to like effect as if the said act had never been passed, and this instrument had never been made, saving however, to the United States, security to their property within said limits and extent, an exemption of the same and of said land from any taxation under the authority of this State, while the same shall continue to be owned, held, used and occupied by the United States as a site on which to erect, and maintain a Lighthouse, and not otherwise

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed, at the City of Austin, this the 11th day of March A.D. 1857, and of the Independence of the United States, the Eighty-first and of Texas, the twenty-second year.

Seal

By the Governor
Edward Clark
Secretary of State.

Ed Rusk

See page 723.— Letter to Governor of Louisiana relative to appropriation for Sabine River

Proclamation

By the Governor of the State of Texas

Whereas, the Legislature at its adjourned Session, 1856, passed a Joint Resolution, proposing to amend the Constitution of the State, which is in these words:

"Joint Resolution proposing an amendment to the Constitution

Be it resolved by the Legislature of the State of Texas, That the following be proposed as an amendment to the Constitution of the State of Texas, which, when ratified, as provided for by the thirty-seventh section of the seventh article of said Constitution, shall be valid to all intents and purposes, as a part of said Constitution, to wit:

In case a vacancy shall from any cause occur in the office of Judge of the Supreme Court, Judge of the District Court, Attorney General, District Attorney, Comptroller of Public Accounts, Treasurer of the State or Commissioner of the General Land Office, the Governor shall appoint a competent person to fill such vacancy, who shall continue to discharge the duties of said office, until the time of the next general election established by law for the election of State or County Officers, which his successor shall have been elected and qualified."

Now, therefore, I, E. M. Pease, Governor of said State, do hereby order and direct that the Sheriffs in

pursuance of the Constitution, do have said Joint Resolution published in the English language in the State, for at least three months before the next general election of Representatives, for the consideration of the people, and to require the returning officers of elections, at the next election to be held throughout, to wit: on the first Monday, 3rd day of August 1857, to open polls at the usual places in their respective Counties, to take the vote, whether said proposed amendment to the Constitution, and all those who vote for Representatives are made a return of said election to the Secretary of State, giving the names of all those voting for Representatives, who have voted on said proposed amendment.

Justices of the several counties of the State or any two of the County Commissioners if necessary, cause polls to be opened at the several election precincts of their respective counties, on the day and at the time of the election of Representatives to the Legislature, to-wit: on the 3rd day of August 1857, to take the vote upon said proposed amendment to the Constitution; of all those who vote for Representatives, the vote may be expressed thus, "For the amendment to the Constitution," or, "Against the amendment to the Constitution," as the voter wishes, and to make returns of said election, giving the names of those voting for Representatives who have votes on said proposed amendment to the Secretary of State, or Auditor, and endorsed, "Election returns of County on the proposed amendment to the Constitution."

The Secretary is hereby directed to have hereunto affixed his name, and cause the Great Seal of the State to be affixed, at the City of Austin, this 11th day of April A.D. 1857, and of the Independence of Texas the twenty-second year.

(Seal)

By the Governor
Edward Clark
Secretary of State.

E M Pease

Note. The officers of Representatives elect are authorized to publish said proposed amendment for three months before the next election of Representatives, and will transmit their returns to the Secretary of State.

Election Returns for President &c

	Electors for the State at Large				Electors per Congress dist.			
	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Anderson	612	612	225	225	612	612	225	225
Bingham								
Adams	87	87	58	58	87	87	58	58
Blackford	258	258	120	120	258	258		
Boone	9	9	12	12	9	9	12	12
Brackenridge	402	402	229	229	402	402	229	229
Brown	212	212	151	151	212	212	151	151
Bartholomew	747	747	218	218	747	747	218	218
Butler	64	64	20	20	64	64	20	20
Benton	171	171	88	88	171	171	87	88
Brown	220	220	74	74	220	220	74	73
Blackford	56	56	74	74	16	16	74	74
Carroll								
Cass	261	261	168	168	261	261	168	168
Clinton	141	141	76	76	141	141	76	76
Caldwell	295	295	196	195	295	295	196	196
Calhoun								
Cameron	492	492	123	123	485	490	123	123
Clay	581	581	352	352	581	581	352	352
Clark	844	844	314	314	845	845	314	314
Carlisle	564	564	302	302	564	564	302	302
Clarke	252	252	133	133	252	252	133	133
Clinton	284	284	26	26	284	284	16	26
Crawford	40	40	11	11	40	40	11	11
Daviess								
Dearborn	118	118	69	69	118	118	69	69
Delaware	603	603	245	245	603	603	245	245
Dubois	308	308	132	132	308	308	132	132
Dearborn	253	253	107	108	253	253	108	107
Elkhart	220	220	176	176	220	220	176	176
Floyd								
Fountain								
Fayette	158	158	74	74	158	158		
Franklin	577	577	229	228	577	577	229	229
Fayette	562	562	394	394	562	562	394	394

Vice President of the United States – 1856.

	Electors for the State at Large				Electors for Cong. District			
	H. W. Purdum	Wm. H. Seward	Wm. E. Jones	Robert Dale Owen	H. J. Stands	H. J. Allen	J. W. Chapman	Peter W. Blake
Ant. Bend	196	196	136	136	172	172	136	136
Freedom	341	341			341	341	144	144
Hendricks	431	431	314	314	431	431	314	314
Gillespie	115	115	25	25	115	115	25	25
Grant	93	93	135	135	93	93	135	135
Greene	515	515	363	363	515	515	363	363
Hancock	415	415	182	182	415	415	182	169
Harrison	322	322	260	260	322	322	260	260
Henderson	359	359	255	255	359	359	255	255
Henry	645	645	449	449	645	645	448	449
Howard	565	564	505	505	565	564	504	503
Huntington	130	130	128	122	130	130	120	122
Jackson	292	292	75	68	292	291	77	74
Jasper								
Jay	170	170	181	181	163	163	117	117
Jefferson	530	530	227	227	524	529	228	225
Jennings	400	400	176	176	400	400	176	175
Johnson	392	392	138	138	392	392	138	138
Knox								
Kosciusko	93	93	88	88	93	93	88	88
Lagrange	185	185		99	185	185	99	99
Lake	108	108	49	49	108	109	49	49
Laporte	186	186	98	98	184	184	99	99
Lawrence	103	103	119	119	102	103	119	119
Madison	191	191	63	63	191	191	63	63
Marion								
Marshall								
Martin	555	555		255	555	555	255	255
Miami	77	77	61	61	76	76	61	61
Monroe	560	560	116	116	560	560	115	115
Montgomery	527	527	227	227	527	527	227	227
Morgan	180	180	102	102	180	180	102	102
Noble	401	401	119	119	401	401	119	119
Owen								
Parke	95	95	50					

Election Returns for President and

	Electors for the State at Large				Electors for Cong. Dist.			
	U. S. Grant	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
McCulloch								
McDonald	203	203	201	201	203	203	200	200
Marion	113	113	125	125	113	113	124	125
Montgomery	111	111	43	43	111	111	43	43
Morgan								
Newton	136	136	29	29	136	136	29	29
Nodaway	211	211	196	196	211	211	196	196
Oregon	179	179	163	163	179	179	163	163
Osage	184	184	182	182	184	184	182	182
Ozark	210	210	210	210	204	203	210	210
Pemiscot								
Perry								
Pettis	73	73	60	60	73	73	60	60
Phelps								
Pike	128	128	130	130	128	128	130	130
Platte								
Polk	205	205	69	69	205	205	69	69
Pulaski								
Putnam	288	288	285	285	288	288	285	285
Ralls	82	82	37	37	82	82	35	35
Randolph	222	222	96	96	222	222	96	96
Ray	1152	1152	669	669	1152	1152	669	669
Reynolds	111	111	80	80	111	111	80	80
Ripley	182	182	72	72	182	182	72	72
St. Louis								
St. Louis City								
Saline	218	218	231	231	218	218	231	231
Schuyler	208	208	77	77	208	208	77	77
Scotland	810	810	370	370	810	810	370	370
Scott								
Shannon	490	490	92	92	490	490	92	92
Shelby	502	502	257	257	501	501	257	257
Stoddard	551	551	467	466	549	548	463	465
Stone	161	160	106	106	152	112	105	105
Sullivan								
Taney	683	683	255	255	683	683	255	255
Texas	18	18	22	22	18	18	14	22

Vice President of the United States – 1856.

	1. Electors for the State at Large				Electors for Cong. Dist.			
	J. W. Forney	Wm. H. Lewis	Wm. C. Jones	R. H. Taylor	A. J. Atwood	A. J. Hamilton	J. W. Stanapan	Thos. M. Baker
Van Buren,	223	211	37	48	223	211	46	42
Victoria	141	141	117	117	142	141	117	117
Walker	387	387	343	343	387	387	343	343
Washington	653	654	481	481	651	656	481	481
Webb,	382	382			382	382		
Wise	67	67		11	67	67		
Wharton	76	76	40	40	76	76	40	40
Williamson	307	307	240	240	307	307	240	240
Woods								
Young								

The following Counties were received after the day fixed for counting the Vote.

Angelina	114	114	77	77	114	114	77	77
Bexar	216	216	191	190	216	216	191	191
Bell	38	38	8	8	38	38	8	8
Bowie	97	97	39	39	97	97	39	39
Brazoria	1022	1022			1022	1022		
Brazos	169	169			169	169		
Brown	15	15	0	0	15	15	0	0
Burleson	19	19	16	16	19	19	16	16
Burnet	138	138	99	98	137	137	99	98
Caldwell	128	128			128	128		
Calhoun	333	333	25	29	326	326	29	29
Cass Cameron	440	441			440	441		
Chambers	242	242	17	17	242	242	17	17
Cherokee	334	334	35	35	334	334	35	35
Wards	335	335	124	124	335	335	124	124
Zavala	39	39	11	11	39	39	11	11

The State of Texas

Whereas, a law was passed by the Eighth Legislature for the erection and support of a Lunatic Asylum under the provisions of which the Governor, Comptroller and Treasurer are made Commissioners to contract for the building of said Asylum, and whereas, by the provisions of said law, the Governor is authorized as soon as he may deem it necessary to appoint a suitable Superintendent of said Asylum, who shall be a skilful Physician: and whereas, the information and advice of some person who is familiar with the treatment of insanity, and with the style and manner of constructing such institutions is deemed necessary to said Commissioners in the preparation and adoption of a plan and specifications for said building and in superintending its erection.

Now therefore, I, Elisha Pease Governor of said State, having full confidence in the skill of Dr. John C. Perry as a Physician, and in his integrity and ability to aid the said Commissioners as aforesaid, and to discharge the duties of Superintendent of such an institution, do, by virtue of the power vested in me by the said law, which is entitled, "An Act for the erection and support of a Lunatic Asylum," approved August 29, 1856, hereby appoint, him the said John C. Perry Superintendent, of the Lunatic Asylum of said State, hereby vesting him with all the rights, privileges and emoluments appertaining to said Office, for and during the term of four years from the date of these presents, unless sooner removed by the Governor of this State for the time being.

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed, at the City of Austin, this the 27 day of May 1857, and in the year of the Independence of Texas, the twenty-second.

Seal

Elisha Pease

By the Governor — Edward Clark
Secretary of State.

Proclamation

By the Governor of the State

Be it known, that I, E. M. Pease, Governor of the State of Texas, do, by virtue of the authority vested in me, hereby order and direct that an election be held throughout this State on the First Monday, the Third day of August next, for the election of the following named State and District Officers; such County Officers as should then be elected, and to take the vote upon the Amendment proposed to the Constitution, of all those who vote for Representatives.

For a Governor and Lieutenant Governor for the State

For a Commissioner of the General Land Office

For a Representative in Congress from the First Congressional District, embracing the Counties of Anderson, Angelina, Bowie, Cass, Cherokee, Collin, Cooke, Dallas, Fannin, Fulton, Hunt, Grayson, Harrison, Henderson, Hopkins, Houston, Hunt, Jack, Jasper, Jefferson, Kaufman, Lamar, Liberty, Nacogdoches, Newton, Orange, Panola, Polk, Red River, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Tarrant, Tyler, Upshur, Van Zandt, Wood, Wood, and that part of Young north and east of the Brazos River.

For a Representative in Congress from the 2nd Congressional District, embracing the Counties of Aransas, Austin, Bandera, Bastrop, Bell, Bexar, Brazos, Brazoria, Burleson, Brown, Bosque, Bennet, Calhoun, Caldwell, Cameron, Colorado, Comal, Concho, Coryell, Crockett, Ellis, El Paso, Fort Bend, Fayette, Frio, Gillespie, Goliad, Guadalupe, Hamilton, Hays, Hill, Jackson, Johnson, Karnes, Kerr, Kendall, Lavaca, Lee, Leon, Limestone, Lampasas, Llano, Madison, Matagorda, McLennan, Medina, Milam, Mills, Montgomery, Navarro, Nueces, Palo Pinto, Parker, Robertson, Refugio, Rockwall, Sabine, San Saba, Somervell, Starr, Travis, Tom Green, Uvalde, Victoria, Walker, Williamson, Wilson, Washington, Zavala, Zapata, Williamson, Wilson, Washington, Zavala, Zapata, Williamson, Wilson, Washington, Zavala, Zapata, Williamson, Wilson, Washington, Zavala, Zapata,

For the Counties of the 2d, 3d, 4th, 10th, 14th Judicial Districts respectively, for a District Judge for each of said Districts, the person elected in the said 14th District, to enter upon the discharge of the duties of the Office on the 5th day of January 1858, at which time the resignation of Judge Norton takes effect.

For the Counties of the 7th, 12th and 14th Judicial Districts respectively, for a District Attorney for each of said Judicial Districts. The person elected in the said 12th District, to enter upon the discharge of the duties of the Office upon the expiration of the term of Office of the present incumbent.

For Members of the Senate in the following Judicial Districts:

The 1st District - including the Counties of Walker, Grayson, Cooke, Montague and Clay.

The 5th District - including the Counties of Dallas, Tarrant, Ellis.

The 8th District - Hunt, Rockwall, Kaufman and Henderson.

" 9th " - The County of Wood.

" 11th " - The County of Cherokee.

" 13th " - The County of Shelby.

" 17th " - The County of Bosque.

" 18th " - The County of Erath.

" 20th " - The County of Tom Green.

" 21st " - Including the Counties of McLennan, Bell, Williamson and Milam.

The 24th District - including the Counties of Montgomery, Washington, Fayette and Austin.

The 25th District - including the Counties of Calhoun, Victoria, Jackson, Goliad, Dewitt and Lavaca.

The 28th District - including the Counties of Cameron and Hidalgo.

The 29th District - including the Counties of Starr, Webb, Nueces, San Patricio, Refugio and Aransas.

The 31st District - The County of Taylor.

" 32d " - including the Counties of Fayette, Colorado and Lavaca.

The 33d District - including the Counties of El Paso and Presidio.

The Members of the House of Representatives of the Legislature for each Representative District

in the State. The Counties created since the passage of the present Apportionment law, will, in the election of Senators and Representatives, vote with the Counties from which they have been respectively made.

To take the vote upon the proposed amendment to the Constitution of all those who vote for Representatives. The amendment proposed is, that in case a vacancy shall from any cause occur in the Office of Judge of the Supreme Court, Judge of the District Court, Attorney General, District Attorney, Comptroller of Public Accounts, Treasurer of the State or Commissioner of the General Land Office, the Governor shall appoint some suitable person to fill such vacancy, who shall continue to discharge the duties of such Office, until the time of the next general election established by law for the election of State or County officers, and until his successor shall have been elected and qualified; said vote may be expressed thus, "For the amendment to the Constitution," or "Against the amendment to the Constitution," as the voter wishes, and the returns of said elections made to the Secretary of State, must give the names of all those voting for Representatives, who have voted on said proposed amendment.

The Chairman of the County Committee, or another of the County Commissioners, if necessary, will therefore give due notice, and cause publicity to be given to the adoption of this amendment by the said Legislature on the second Tuesday in August, next, for the election of his successor — Sheriffs and Constables are to be elected by the Legislature: and the County Officers authorized to be elected, are to take the oath of office, and the proposed amendment to the Constitution of all those who vote for Representatives. They will also be required of such elections as terms prescribed.

The Separate depositories required of the receipts for taxes and disbursements, are to be thus: [illegible]

2d. Separate duplicate returns of the election for Commissioner of the General Land Office, one of which he will transmit to the Seat of Government, directed to "The Secretary of State," and endorsed, "Election returns of County for Commissioner of the General Land Office," and deposit the other in the Office of Clerk of the County Court.

3d. Separate duplicate returns of the election for Representative to Congress, one of which they will transmit to the Seat of Government directed to "The Secretary of State," and endorsed "Election returns of County for Representative to Congress," and deposit the other in the Office of the Clerk of the County Court.

4. Separate duplicate returns of the election for District Judge and District Attorney, either, as the case may be, one of which they will transmit to the Seat of Government, directed to "The Secretary of State," and endorsed "Election returns of County for District Judge or District Attorney," and deposit the other in the Office of the Clerk of the County Court.

5. Separate duplicate returns of the election for District and Criminal Court Judge, one of which they will transmit to the Seat of Government directed to "The Secretary of State," and endorsed "Election returns of County for District Judge," and deposit the other in the Office of the Clerk of the County Court.

6. Separate duplicate returns of the vote upon the proposed amendment to the Constitution giving the Vote of all those voting for Representatives who have served one month, one of which they will transmit to the Seat of Government directed to "The Secretary of State," and endorsed "Election returns of County on the proposed amendment to the Constitution," and deposit the other in the Office of the Clerk of the County Court.

7. Separate duplicate returns of the election for County Officers, one of which they will transmit to the Seat of Government, directed to "The Secretary of State," and endorsed "Election returns of

County, and deposit the other in the office of the Clerk of the County court.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin, this the 27th day of May A.D. 1857, and of the Independence of Texas, the twenty-second year.

(Seal)

E M Pease

By the Governor
Edward Clark
Secretary of State.

The State of Texas

Whereas, it has been made known to me by William Fields, the State Engineer and Superintendent of the improvements upon the Rivers and other navigable waters in Texas, that he cannot perform all the duties required of him by law in superintending the work already contracted for, and in also making contracts for other improvements until those contracted for are completed, which makes it necessary in my opinion, that a person should be appointed to superintend a portion of them.

Therefore, I, E. M. Pease, Governor of said State, by virtue of the authority vested in me by the provisions of "An Act to encourage the improvement of the navigation of the Rivers and other navigable waters in Texas by making appropriations for the same," dated August 1st 1856, do hereby appoint Edwin F. Gattle Esq. of Galveston County to be Superintendent [illegible] upon the [illegible] Trinity and [illegible] [illegible] under the contracts made by the State Engineer for said objects, during [illegible] and granting to the said Gattle all the rights, privileges and emoluments, and subjecting him to all the duties [illegible] of said [illegible] the provisions of said recited act.

In testimony whereof I have signed my name and caused the Great Seal of the State to be affixed, at the City of Austin, this [illegible] day of [illegible] [illegible] Independence [illegible]

(Seal)

E M Pease

By the Governor
Edward Clark

The State of Texas

Whereas, such information has been communicated to me, as to induce the belief that Land Certificates for six hundred and forty acres and three hundred and twenty acres have been improperly and illegally issued by some of the County Courts [illegible] where it appears as Patrick Colgan, [illegible] such proof as the law requires, and that such certificates have also been issued by some of said County Courts to persons not legally entitled to receive them.

Now, therefore, for the purpose of ascertaining the truth of said information, I, Coke Pease Governor of said State, having full confidence in the integrity, diligence and discretion of E. P. Hartsfield Esq. of Lime Creek, do hereby appoint him, the said E. P. Hartsfield, an agent to visit the County of Hardeman and Foard, and the County of Wilbarger, with the power to examine the records of the County Court of the County of Hardeman, and the records of said Patrick Colgan, as far as certificates have been issued by the County Court of "Cottle Spring" situated in Foard County, since the 10th Feb. 1852, and also to examine the records of the County Court of Wilbarger, where records have been lost and to make a full report of such information as he may obtain in relation to the issuing of certificates which may have been improperly issued.

The said agent, E. P. Hartsfield, is hereby authorized to administer oaths to persons and witnesses, and to take such other steps as may be necessary to the execution of his duties, as he may think proper.

Given under my hand and seal of office, at the City of Austin, this the 22d day of June A.D. 1852, and of the Independence of Texas, the Twenty-second year.

Seal.

By the Governor
Edward Clark
Secretary of State.

Coke Pease

The State of Texas

Whereas, a vacancy has occurred in the Office of Commissioner of Claims, by the resignation of James C. Wilson. Now therefore, be it known that I, E. M. Pease Governor of said State, having full confidence in the Integrity, Diligence and Discretion of James H. Illingworth Esq., do, by virtue of the authority vested in me by the Constitution and laws of said State, hereby appoint him, the said Illingworth to the Office of Commissioner of Claims, - hereby investing him with all the rights, privileges and emoluments, and subjecting him to all the duties appertaining to said Office, under the Constitution and laws of the State.

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed, at the City of Austin, this the twenty-seventh day of June A.D. 1857, and of the Independence of Texas, the Twenty-second year.

E M Pease

By the Governor
Peter Hansborough
Secretary of State.

See page 724. for Letter to Arthur T. Lynn, at Galveston, relative to Charles Thomas, a native of the Island of St Thomas, a British subject.

The State of Texas

Whereas, a vacancy will occur in the Office of District Attorney of the Sixth Judicial District of said State, composed of the Counties of Calhoun, Victoria, Jackson, Matagorda, Brazoria and Brazos, by the resignation of John S. Harper: said resignation to take effect on the first day of August, A.D. 1857.

Now, therefore, I, A. H. Davis, Governor of said State, do, by virtue of the authority vested in me by law, issue this my proclamation, and direct that the chief justices of the several Counties of the said Sixth Judicial District, do, each of the County Commissioners, at least ninety days before the date of this notice, and cause the same to be posted at the several precincts of their respective counties, on the first day of August next, for the filling of the vacancy in the office of District Attorney for said Sixth Judicial District. That such election shall be held at the several precincts of said counties, according to the law of said State, conducted as to the manner of holding elections, directed by "the laws of Texas" and governed by "Civil and Criminal Jurisprudence" and a record of the result of the said election be made by the "Sixth Judicial District Court" to be held in the County of Brazoria, and a copy of the same be returned to the office of the Secretary of State by the officers of the election by law.

In testimony whereof, I have hereunto set my name and caused the great seal of the State to be affixed, at the City of Austin, this the 29th day of June A.D. 1857, and in the Independence of Texas, the Seventy-second year.

A. H. Davis

By the Governor:

Bird Holland
Asst Secy of State.

Ed Pease

I propose to translate into the German language & furnish a copy for printing as early as can be done conveniently, the following laws of Texas, viz. Chapters 25, 57, 66, 75, 78 & 80 of the general laws of the 6th Legislature that convened in November 1855. Chapters 54, 85, 86, 87, 95, 116, 123, 128, 140, 145, 150, 155, 177 & 188 of the general laws of the Legislature that convened in July 1856. — also, "The Penal Code," and "The Code of Criminal Procedure," including all the notes & indexes to both Codes, omitting the "Table of contents," which precedes each Code, and omitting also, all of Titles 3rd and 4th of the Penal Code, in lieu of which the following note is to be inserted, viz:- "Titles 3rd and 4th relate (relating) to the Penitentiary and Houses of Correction, and are not translated."

I am also to translate & furnish in the same manner, such portions of the index to the general laws as relates to the Chapters above named. The whole to be done for the sum of Five hundred and fifty dollars, to be paid when the whole is delivered for printing.

Austin 1857. Respectfully, Alex: Sayers

Should a proposal be accepted
E M Pease

I propose to print in the German language upon good paper, with good types, 850 copies of such of the general laws of the 6th Legislature of the State of Texas with the notes and index, as may be furnished to me, translated into the German language, by the Governor of this State, to bind and deliver each copy and deliver them part in Austin and part in San Antonio as the Secretary of State may direct, all the materials to be furnished by me & the whole of said work to be done for the sum of Nine hundred and fifty dollars, should the laws as not exceed 450 pages as printed in English, but if they exceed 450 pages as printed in English, then I am to receive pay for each page over and above that number at the same rate, payment to be made when the work is delivered.

Respectfully

Jos P. Kaufman

Respondent Mr. Reinhardt

The above proposal is accepted & the printing is awarded to Mr. A. H. Reinhardt.

Ed Pease

The State of Texas

Whereas, it has been represented to me that at the Spring Term 1856, of the District Court of Upshur County one Allen Johnson was indicted for an assault and battery, for which he was afterwards arrested and gave a bond with Robert J. Tucker and Edward Ingram as his securities for his appearance in said Court to answer said Indictment — That at the August Term 1856 of said Court said bond was forfeited and a conditional judgment entered thereon for one hundred dollars besides costs: that subsequently said Johnson was again arrested and gave a new bond for his appearance in said Court to answer said charge, under which

he did appear at the Spring Term 1857, was tried, convicted and fined in the sum of one dollar: that subsequently at the same Term said conviction and fine was set aside and a new trial was granted and the cause continued in said Court where it is now pending: — That subsequent to said last named proceedings and at said Spring Term 1857, the conditional judgment entered against said Johnson, Tucker and Ingram at the August Term 1856, was made final, and whereas it has been made known to me that said Johnson was confined by sickness so that he was unable to get to the Court-House to make any answer or defence against said judgment on said bond, when the same came on for final hearing: — and whereas, it appears that said Johnson has since appeared and answered to said Indictment, said bond was conditionally forfeited and is still under a good and sufficient bond to appear and answer to said Indictment until it is finally disposed of; there seems to be no good reason why said final judgment on said bonds should be enforced against him and his securities.

Now therefore, I, E. M. Pease Governor of said State, by virtue of the authority vested in me by the Constitution and laws thereof, do hereby remit said final judgment of one hundred dollars against said Johnson, Tucker and Ingram, exciting so much thereof as condemns them to pay the costs, which is left in full force.

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed, at the City of Austin, this the Eighth day of July, A.D. 1857, and of the Independence of Texas, the Thirty-second year.

Seal.

By the Governor.
Edward Clark
Secy of State.

E M Pease

The State of Texas

Whereas John Williams was tried and convicted at the Spring Term in the year 185[illegible] of the District Court of Harrison County in said State, and was sentenced to be confined at hard labor in the State Penitentiary under said sentence, and whereas, on examination of the evidence and facts upon which said, leads one to believe that the conduct of the man that he displayed towards his daughter was such as would have induced any father who had a proper regard for the reputation and welfare of a daughter to have acted as he did, and such as might in some degree be offered for which he was convicted.

Now, therefore, I, A. M. Pease, Governor of said State, by virtue of the authority vested in me by the Constitution and laws thereof, do hereby grant to said Williams a pardon for the offence of which he was convicted as aforesaid, and hereby direct the keeper of the State Penitentiary to release and discharge him upon all further confinement therefor.

In testimony whereof, I have signed my name, and caused the great seal of the State to be hereunto affixed, at the City of Austin, this the twenty-third day of July in the year of our Lord one thousand eight hundred and sixty-seven and of the Independence of the United States the Eighty-second year, and of Texas the twenty-second.

Seal.

By the Governor
Edward Clark
Secretary of State

A M Pease

The State of Texas

To all, to whom these presents shall come — Greeting.

Know Ye, that reposing special trust and confidence in the Integrity, Diligence and Discretion of William Thompson Esqr, I do hereby appoint him "Weigher of Cotton for the Port of Galveston" in the County of Galveston in said State, under the provisions of "An Act creating the Office of Weigher of Cotton for certain Ports in this State" Passed September 1st 1856, and I do hereby authorize and empower him to execute and perform the duties of this appointment for and during the term of three years from the date hereof, unless sooner removed by the Governor of this State for the time being.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin, this the twenth day of August A.D. 1857, and of the Independence of Texas, the Twenty Second year.

(Seal)

E M Pease

By the Governor
Edward Clark
Secretary of State.

The State of Texas

To all, and singular the Sheriffs, Constables and other peace officers - Greeting.

Whereas, it has been represented and made known to me by John H. Winston, Governor of the State of Alabama, that Henry C. Parsons late of said State of Alabama stands charged by Indictment duly in the Circuit Court of the County of Greene and said State of Alabama at the spring Term of said Court in the year one thousand eight hundred and fifty-seven with the murder of "William C. Adams," and that the said Henry C. Parsons has fled from justice in said State of Alabama, and taken refuge in the State of Texas.

And whereas the said Governor of the State of Alabama, in pursuance of the Constitution and laws of the United States, has demanded of me that I cause the said Henry C Parsons to be arrested and delivered to Thomas P. Adams, the duly authorized agent, appointed by said Governor of the State of Alabama, to receive the said Parsons into custody and convey him to the State of Alabama - And whereas, the said representation and demand are accompanied by a copy of said indictment duly certified as authentic by the said Governor of the said State of Alabama.

Now therefore, I, E. M. Pease Governor of the State of Texas do by virtue of the authority vested in me by the Constitution and laws of this State, and of the United States, issue this my warrant commanding all Sheriffs, Constables and other civil Officers of this State to arrest, and to aid and assist in arresting the said Henry C. Parsons, and deliver him into custody, to the said Thomas P. Adams, agent of the said State of Alabama, in order that he may be taken back to the said State of Alabama, to be dealt with for "the murder of William C Adams," according to law.

In testimony whereof, I have hereunto signed my

name, and caused the Great Seal of the State to be affixed, at the City of Austin, this the 13th day of August A.D. 1857, and of the Independence of Texas, the Twenty-second year.

Seal.

E M Pease

By the Governor
Edward Clark
Secretary of State.

Executive Department
Austin, Texas, August 13th 1857.

To the Executive Authority
of the State of Louisiana

Whereas, It appears by the annexed documents, which are hereby certified to be authentic, that Robert Augustine stands charged with "an assault with intent to kill and murder," committed in the State of Texas, and information having been received, that the said Robert Augustine has fled from justice, and taken refuge in the State of Louisiana.

Therefore, I, E. M. Pease, Governor of the State of Texas, have thought proper in pursuance of the provisions of the Constitution and laws of the United States, to demand the surrender of the said Robert Augustine as a fugitive from justice, and that he be delivered to Wm Richard J. Jones, who is hereby appointed the Agent on the part of the State to receive said Augustine.

Given under my hand and the Great Seal of the State affixed, at the City of Austin, this the 13th day of August A.D. one thousand Eight Hundred and Fifty-Seven, and of the Independence of the United States, the 82nd, and of Texas the 22nd year.

Seal.

E M Pease

By the Governor
Edward Clark
Secretary of State

The State of Texas

Know all men by these presents, that whereas, one Pablo Cuequatine stands charged by Indictment, found in this State in the District Court of Bexar County, Feb. Term A.D. 1865, with "an assault with intent to kill and murder" and whereas, the said Pablo Cuequatine has fled, from justice;

Therefore, I, E. M. Pease, governor of said State, hereby proclaim, certify and affirm, that by virtue of the authority in me vested by the Constitution and laws, a reward of Fifty Dollars, is offered, for the purpose of securing the said Cuequatine and bringing him safely within this State, that he may be dealt with according to law.

Given under my hand and the great seal of the State, issued at the City of Austin, this the 1st day of May A.D. 1867, and of the Independence of the United States, the Eighty-second and of Texas, the Twenty-second year.

Seal

By the Governor:
Edward Clark
Secretary of State

E M Pease

Letter to Genl. Briggs, - see page 750.

Letter to the Hon: Seward, Secretary of State of the U. S. - see page 752.

Letter to A. C. Hyde Esq. District Attorney, - see page 753.

The State of Georgia

To all and singular the sheriffs, constables and other civil officers - Greeting.

Whereas, it has been represented and made known to me by Benjamin F. Johnson, Governor of the State of Georgia, that John S. McCulloch, late of said State of Georgia, stands charged by indictment, pending in the Superior Court of the County of Glynn in said State of Georgia, in the October Term in the year eighteen hundred and sixty-six, with the offence of "being a common cheat and swindler," and that the said John S. McCulloch has fled from justice in said State of Georgia and is now in the State of Texas.

Now, therefore, the said Governor of the State of Georgia, in consonance of the Constitution and laws of the United States, has demanded of me, that I cause the said John S. McCulloch to be arrested and delivered to Edward H. Edwards, the duly authorized agent appointed by said Governor of the State of Georgia, to receive the said McCulloch and convey and safely keep him within the State of Georgia - and whereas the said requisition and demand are accompanied by an affidavit of said E. Edwards duly certified as entitled to full faith and credit in the State of Georgia.

Now, therefore, I, E. H. Cruse, Provost Marshal of Texas, do by virtue of the authority in me vested, hereby command all civil officers and constables and other peace officers of this State, and also requiring the said John S. McCulloch, wherever he may be found within this State, to be arrested and delivered to the said Edward H. Edwards, agent of the said State of Georgia, to be conveyed back to the said State of Georgia, to be dealt with according to the laws of "being a common cheat and swindler", according to law.

[illegible]

Seal.

of the State to be affixed, at the City of Austin, this the twenty-eighth day of August A.D. 1887 and of the Independence of Texas, the Ninety-second year.

Ed Rose

By the Governor
Edward Clark
Secretary of State.

The State of Texas

Comptroller's Office Austin Texas
August 28th 1887

To William Cameron Esq
Pres Texas & N.W.

Sir: Inclosed please find copy of the opinion of Hon. Wm. Rainey Attorney General relative to the forfeiture of the charter of the Texas Northwestern Railroad Co. and that said company forfeited and lost its charter, or decision of the legislature, and the state without the same forfeited by law to exhibit it to receive from the State, different sections of land for each mile of said road. You is therefore requested to proceed and prosecute the decision of court and report to the Office accordingly all such facts as may be necessary to ascertain whether said road has been constructed in accordance with the charter of said company, the general law amending the same and the general laws of the State regulating railroads and encouraging their construction by donations of lands.

In order that you may ascertain what facts are necessary to be reported, you are referred to the following laws, which are all that have a bearing on the subject viz:

Art. Sec. 6 to incorporate the "Galveston Sherman and Henderson Railroad Company," approved Feb. 1871. Please learn of the Sec. of State if this legislation repealed.

Art. Sec. 6 supplementary to the act to incorporate the Galveston, Sherman and Henderson

"Railroad Company," passed 14 January 1854. Special laws of the 5th Legislature. Page 21.

3rd "An Act to amend an act supplementary to an act to establish the Galveston, Houston and Henderson Railroad Company" Approved 23rd January 1856. Special laws of the 1st Session 6th Legislature Page 30.

4th "An Act supplementary to and amendatory of an Act to amend an Act supplementary to an Act to establish the Galveston, Houston and Henderson Railroad Company" Approved Feb. 22 1856. Special laws of the adjourned session of the 6th Legislature page 26.

5th "An Act to regulate Railroad Companies" Approved Feb. 7th 1853. General laws Extra Session of the 4th Legislature page 95.

6th "An Act to encourage the construction of Railroads in Texas by donations of lands" Approved January 30 1854. General laws of 5th Legislature page 11.

7th "An Act to amend the 25th section of an Act to regulate Railroad Companies" Approved Feb 11th 1854. General laws 5th Legislature page 95.

You will report particularly.

1st At what time twenty-five miles of said road were completed and put in running order.

2nd What is the entire length of road that said Company has now completed and put in running order?

3rd Where does that portion of the road of said Company that has been completed and put in running order commence and where does it terminate? It is expected that you will designate the points [illegible] with such certainty as that it can be accurately delineated upon the map of the [illegible] in which it is situated and that the dimensions [illegible] of land it passes over can be accurately [illegible] from [illegible].

4th What [illegible] of said Road?

5th What is the width of the [illegible] and [illegible] height [illegible]?

[illegible]

[illegible]

7th. What number of bridges and culverts have said road, and what are their lengths respectively?

8th. What is the actual weight per yard of the iron-rails with which said road is constructed?

9th. Where is the principal office of business of said company, and where are all the records of said company kept?

10th. If said principal office of business is not this State, when was it established in this State? and have all the records of said company been kept at said office since it was established in this State?

11th. State how many meetings of the Directors have been held for the purpose of directors and officers, since the 1st of June 18[illegible], with the dates and at what places were such meetings held?

12th. Give name the directors and officers of said company, on the 1st day of June 18[illegible], and what days and at what places were they respectively elected?

13th. Give the names of the directors and officers of said company, on the 1st day of June 18[illegible], and what days and at what places were they elected?

14th. Are a majority of the present directors of said company residents and citizens of Texas? and if so, what are their names and where do they respectively reside?

15th. Whether said company has made any or has been completed on a portion of said road?

16th. What is said number of thousand feet made in said company in each road? and what capacity are they?

17th. What number of locomotives has said company in each road? and what capacity are they?

18th. What number of passenger and freight cars has said company, on said road?

19th. Did said company make an annual report to the Comptroller of Public Accounts of his State, of the operations of the year ending on the 30th of September 18[illegible], in accordance with the requirements of "An Act to regulate Railroad Companies," approved February 7th 1853?, if so, you will between a copy of said report - if no such report was made, one must now be demanded of said company in accordance upon oath.

should you not examine said lands until after the first of October 1857. then instead of a report for the year ending the 1st of October 1856. one must be furnished for the year ending the first of October 1857.

Very respectfully.

Ed Pease

Executive Office
Austin Texas, August 31. 1857

Col James H. Head Esq
Sir:

I send you herewith a commission under the provisions of the 4th section of "An Act to examine the legal claims for money and lands against the State," passed 1st August 1856, to examine the records of the County Courts of the Counties in the limits of Peters Colony in which certificates have been issued under the provisions of "An Act relating to lands in Peters Colony" approved 11. of February 1852.

The applications have been made in consequence of information communicated in this office which leads me to believe that certificates have been issued by some of said Counties.

1st. To heads of families and single men over 17 years of age who settled in said Colony subsequent to the 1st day of July 1844.

2nd. To single men who settled in the Colony before the 1st day of July 1844, but who did not become 17 years of age while within that date.

3rd. To additional certificates of 320 acres to single men over 17 years of age who settled in the Colony previous to the 1st of July 1844 but who became heads of families subsequent to that date.

4th. In cases where the residence of the applicants and the residence of the witnesses were not made in persons before the Commissioner in the certificates.

It is believed, that under a correct construction of the provisions of the Act relating to lands in Peters Colony approved 11 Feb. 1852. which is the only law that authorizes County

Courts to issue certificates to settlers in Peters Colony; all certificates issued to persons named in the foregoing paragraphs numbered 1. 2. and 3. and also all issued upon such proof as that mentioned in paragraph numbered four are illegal and void.

It is expected that under this appointment you will make a careful examination of the records of the different County Courts of the Counties entered in the limits of Peters Colony in which certificates have been issued to Peters Colonists and that you will also examine persons in regard to the manner in which such records have been kept and that you will make a full report of all the certificates issued by such courts, stating the name of the Colonist, and the quantity of land, with the date when the certificate issued.

It is also expected that you will state in your report, each case where certificates have been issued to any other persons named in the foregoing paragraphs numbered 1. 2 and 3. and also each case where the certificate issued upon such proof as that mentioned in paragraph numbered four.

Should you in your examination find any other particulars than those herein specified, in which the Land Courts or any of them have overreached the law, in issuing such certificates, it is expected that you will also report the facts

We can allow you a compensation of three dollars a day for every day you may be necessarily employed under this appointment, and it is desired that you will make your report as early as convenient.

Your attention is particularly called to the proceedings of the County Courts of Grayson, Cooke and Wise Counties

Your associates under this appointment are Mr. Hendricks Esq. of Grayson County and E. P. Nicholson Esq of Dallas County to whom similar instructions and copies of the laws under which you are to act, have heretofore been sent by mail.

Very respectfully

Ed Rose

The State of Texas.

Whereas such information has been communicated to me as to induce the belief that land certificates for six hundred and forty acres and for three hundred and twenty acres have been improperly and illegally issued by some of the County Courts within the limits of what is known as Peters Colony, without such proof as the law requires, and that said certificates have also been issued by some of said Courts to persons not legally entitled to receive them;

Now therefore, for the purpose of ascertaining the truth of said information, I, E. M. Pease Governor of said State, having full confidence in the integrity, diligence and discretion of James P. Ott of Grayson County, do hereby appoint him the said Ott (in the place of Austin C. Mainor heretofore appointed, but who declines to act) in conjunction with W. G. Chandler of Grayson County and C. P. Stephens of Fannin County, with power to examine the records of the County Courts of the Counties in the limits of said Peters Colony, and which certificates have been issued under the provisions of "An Act relating to lands in Peters Colony" approved Feby 16 1852 and also to examine witnesses in regard to the manner in which said Records have been kept, and to make a full report of such examination in accordance with a letter of instructions which accompanies this appointment.

In testimony whereof I have hereunto signed my name, and caused the great seal of the State to be affixed. At the City of Austin, this the first day of September A.D. 1857, and of the Independence of Texas, the twenty-second year.

Seal

E M Pease

By the Governor
J Edward Clark
Secretary of State.

The State of Texas

Whereas it has been made known to me, that a body of men armed and disguised, recently made a sudden and unprovoked assault within the limits of Karnes County in this State, upon several Citizens of Aransas County who were peacefully pursuing their occupation of transporting goods along the Public highway and killed five men and wounded three others, and whereas, such outrages are calculated to bring disgrace upon the State and ought not to go unpunished, I, E. M. Pease, Governor of said State, do hereby command and require the Civil Officers of said County of Karnes to use every legal measure and, arresting and bringing to justice, the persons concerned in said affair. They will call upon the Citizens of the County, to aid them, and if they refuse, it is manifest, they will share the guilt and consequences which may hereafter befall the County, even if the whole power of the State has to be used for that purpose.

In testimony whereof, I have hereunto signed my name, and caused to be made hereon the impression of the Great Seal of the State, this the 23rd day of September A.D. 1857.

Seal

E M Pease

By the Governor

Edward Clark
Secretary of State.

The State of Texas

Whereas, it has been made known to me, by affidavit, in writing, that on the 12' day of September 1857, on the public highway about one league from the Town of Helena in Karnes County, in said State, a body of men, armed and disguised, made a wanton and unprovoked attack upon a train of Carts loaded with supplies, for the United States Government, from the coast to San Antonio, and fired upon the persons engaged in driving said Carts, and killed Juan Antonio Delgado, a citizen of Texas County and wounded Vicente Valdez, Esteban Valdez, and Mariano Valdez, also citizens of said County — and whereas, it appears that the persons who committed said Offence are unknown — and secrete themselves.

Now therefore, I, E. M. Pease Governor of said State, by virtue of the authority vested in me by the Constitution and laws thereof, do hereby offer a reward of Five hundred dollars for the arrest and delivery of the persons who committed said Offence, or any one of them, to the Sheriff of said County of Karnes, to be dealt with according to law.

In testimony whereof, I have hereunto signed my name, and caused the impression of the great seal of the State to be made hereon, this the 23' day of September A.D. 1857.

E M Pease

(Seal)

By the Governor
Edward Clark
Secretary of State.

Note — Papers authorized to publish.
The State Gazette, Weekly, 4 insertions
San Antonio Texan, " " "
San Antonio Herald, " " "
Victoria Advocate, " " "

State of Texas

Whereas, it has been made known to me, that a body of men, armed and disguised, recently made a wanton and unprovoked assault, within the limits of Karnes County, in this State, upon several citizens of Bexar County, who were peaceably pursuing their occupation of transporting goods along the Public highway, and killed one of them, and wounded three others, and whereas, such outrages are calculated to bring disgrace upon the State, and ought not to go unpunished.

Now, therefore, I, E. M. Pease, Governor of said State, do hereby command and require the civil officers of said County of Karnes to be vigilant in ferreting out, arresting and bringing to justice the persons who committed such offences. They will call upon the citizens of the County to aid them, and if these refuse or are insufficient, they will report the facts, and assistance will be sent them from other counties. The said officers are also commanded and required to adopt such measures as will prevent a recurrence of these outrages.

It is made my duty to see that the laws of the State are executed and I am determined to do it.

Every citizen is entitled to the protection of the laws, in any lawful occupation he may choose to follow, and if the civil authorities of the Counties along the route from San Antonio to the Gulf, where this and other outrages of a similar character have recently occurred, are not able with the assistance of their own citizens to prevent a repetition of them, it will become my duty to suppress them, even if the whole power of the State has to be used for that purpose.

In testimony whereby, I have hereunto signed my name, and caused to be made hereon the impression of the Seal of the State, this the 23rd day of September, A. D. 1857.

Seal

By the Governor
Edward Clark
Secretary of State.

E M Pease

The State of Texas

Whereas, it has been made known to me, by affidavit in writing, that on the 12th day of September 1857, on the public highway about one league from the Town of Helena in Karnes County, in said State, a body of men, armed and disguised, made a wanton and unprovoked attack upon a train of carts transporting supplies for the United States Government, from the Coast to San Antonio, and fired upon the persons engaged in driving said carts, and killed Jose Antonio Delgado, a citizen of Goliad County, and wounded Nicanor Valdez, Esteban Valdez, and Martina Valdez, also citizens of said County: and Whereas, it appears that the persons who committed said offence are unknown and secrete themselves.

Now, therefore, I, E. M. Pease, Governor of said State, by virtue of the authority vested in me by the Constitution and laws thereof, do hereby offer a reward of ($500.00) Five hundred dollars for the arrest and delivery of the persons who committed said offence, or any one of them, to the Sheriff of said County of Karnes to be dealt with according to law.

In testimony whereof, I have hereunto signed my name, and caused to be made hereon the impression of the Seal of the State, this the 28th day of September, A.D. 1857.

By the Governor
Edward Clark
Secretary of State

E M Pease

Note – The "Victoria Advocate" copy for four successive weeks, and forward account.

Election Returns

County	For Congress 1st District Johnson	For Congress 1st District Regan	For Congress 2d District Finley	For Congress 2d District Hardin	Com. Gen. L. Office H. H. White	Com. Gen. L. Office Elisha Conaway	Amendment to Constitution For	Amendment to Constitution Against	No. of Votes Polled for Representative
Anderson	638	403			1,058	611	350	285	1101
Angelina	58	145			156	185	86	54	203
Aransas			[illegible]	15	146	62			215
Austin			1,[illegible]	[illegible]	566	336	366	68	628
Bandera			[illegible]		5	50			52
Bastrop			1,[illegible]	126	431	212	455	94	483
Bell			376	51	509	220	154	48	495
Bexar			1,128	54	900	356	416	22	1207
Brazoria			133	4	17	35	38	14	139
Brazos	335	70			519	339	268	143	569
Brewster			57	6	257	153	154	4	5[illegible]
Briggs			[illegible]	122	60	131	58	152	192
Brown			10		4	4			
Burleson			5[illegible]	[illegible]	551	359	268	143	569
Burnet			191	16	1[illegible]	98	80	78	2[illegible]
Caldwell			457	22	540	246	380	51	518
Calhoun			2[illegible]	62	112	126	211	61	220
Cameron			5[illegible]		119	137	212		729
Cass	347	5[illegible]			527	355	169	49	887
Chambers	914	749			906	862	632	137	1680
Cherokee	354	537			537	400	103	161	741
Colorado			409	27	519	359	590	43	764
Comal			254		510	416	247	75	5[illegible]
Comanche			95	9	94	26	17	27	112
Concho	132	[illegible]			117	107	9	97	209
Cooke			217	10	354	151			301
Coleman	149	242			301	486	79	189	5[illegible]
Crockett	204	155			228	206			
Collingsworth			349	14	198	217	287	55	5[illegible]
Collin			248	134	516	259	285	212	5[illegible]
Colorado			540		81	734	472	58	741
Coleman			64		50	37	9	42	60
Dallas			184	76	110	205	57	77	5[illegible]
Denison	449	204			440	200			[illegible]
Dallas			781	281	530	547	800	130	[illegible]
Dallas			[illegible]	[illegible]	104	[illegible]	[illegible]	19	[illegible]
[illegible]			[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	

August 3d 1857.

County	For Congress 1st District: Richard Reagan	For Congress 1st District: E. G. Evans	For Congress 2d District: Guy M. Bryan	For Congress 2d District: Hamilton	Com'r Gen'l L'd Office: Jos. M. Dickinson	Com'r Gen'l L'd Office: Stephen Crockett	Amendments to Constitution: For	Amendments to Constitution: Against	No. of votes not rec'd for Representative
Aransas			478	162	400	262	601	15	550
Bastrop			334	12	138	152	142	93	276
Bexar			206	24	114	169	141	99	274
Brazoria			523	105	479	397	576	131	785
Brazos	465	334			415	397	337	125	698
Burleson			365	214	288	334	396	111	586
Bandera			390	24	355	243	348	43	496
Caldwell									
Calhoun	598	558			393	576	445	57	1169
Cass			107	62	92	124	126	28	148
Cherokee	312	128			251	187			390
Colorado			157		130	87	97		219
Coke			145	101	111	177	167	29	222
Collin	620	279			577	345	123	245	769
Comanche	462	251			424	303	150	477	674
Cooke	598	210			340	306	132	247	564
Clark	53	4			14	37	1	29	
Jackson			95	57	126	56	81	54	165
Jasper	228	146			185	191	166	118	360
Johnson	79	80			40	126	52	57	159
Kinney			228	54	139	188	54	69	[illegible]
Kaufman			158	82	108	158	149	67	200
[illegible]	282	171			208	252	17	131	[illegible]
[illegible]			210		22	215	16	22	31
[illegible]	556	305			613	327	132	135	953
[illegible]									
[illegible]			465	24	278	291	249	183	
[illegible]			410	234	250	360	260	[illegible]	[illegible]
[illegible]	229	172			247	191	191	[illegible]	[illegible]
[illegible]			363	96	328	193	73	318	[illegible]
[illegible]			80	19	61	66	53	32	
[illegible]			53		24	14	7	30	37
[illegible]			586	153	261	322	[illegible]	[illegible]	[illegible]
[illegible]			[illegible]	36	67	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]			234		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]			[illegible]		[illegible]	[illegible]	[illegible]	[illegible]	70
[illegible]			[illegible]		[illegible]	[illegible]	[illegible]	38	431

Counties	For Congress 1st District: John H. Reagan	For Congress 1st District: T. J. Edwards	For Congress 2nd District: Guy M. Bryant	For Congress 2nd District: Alexander	Cont. Const. L. Office: W. M. Walker	Cont. Const. L. Office: Stephen Crosby	Amendments to Constitution: For	Amendments to Constitution: Against	No. of Votes Polled for Representative
Montgomery			219	142	173	274			407
Nacogdoches	491	321			424	622	432	252	999
Navarro			312	207	230	432			659
Newton	122	116			122	99	32	99	220
Nueces			339		139	215	219	99	355
Orange	61	84			40	125	24	50	164
Panola			61		51	31	20	51	
Parker	465	248			443	247	196	152	636
Parmer			258	44	244	249	38	315	479
Polk	351	96			345	118	208	182	440
Red River	409	301			413	319	106	325	677
Refugio			144	13	92	75	29	41	156
Robertson			161	16	147	179			317
Rusk	1050	692			1110	756	411	446	1750
Sabine	63	201			32	225	36	8	240
San Augustine	186	170			158	200	54	32	334
San Saba			41	4	39	23	12	21	40
Shelby			36		40	26	16	50	73
Smith	235	347			212	365	88	132	522
Starr	817	519			730	138	157	362	1300
Stephens			398		350	71	371	32	420
Sterling			313	61	316	351			633
Titus	323	398			489	426	169	136	855
Travis			600	283	481	319	626	214	906
Trinity	232	172			209	184			379
Tyler	317	114			308	170	73	291	415
Upshur	604	363			575	389	408	119	875
Uvalde			30		24	32	3	6	42
Van Zandt	298	97			311	176	36	153	375
Victoria			194	71	188	110	170	37	260
Walker			379	10	378	376	308	278	680
Washington			732	294	667	526	770	140	1047
Webb			353		209	140			350
Wharton	105	77			21	166	24	82	
Williamson			164	8	127	37	132	5	162
Wilson			425	32	281	294	300	197	532
Wood									
Zavala	52	2	7		40	25	18		24
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

Official Returns Aug. 3rd 1857.

Second Judicial District

	District Judges	
	A. W. Terrell	J. A. Green
Bastrop	373	272
Caldwell	318	295
Guadalupe	391	145
Hays	121	67
Travis	440	502
	1643	1281

Third Judicial District

	District Judges		
	R. E. B. Baylor	Thos. Harrison	T. B. White
Washington	399	594	112
Burleson	299	251	29
Milam	214	176	46
McLennan	284	214	7
Bosque	96	42	4
Coryell	231	77	3
Bell	221	212	42
Erath	40	28	"
	1784	1594	243

Sixth Jud. District

	District Judge	
	R. A. Reeves	Hays
Austin	249	415
Cherokee	790	902
Anderson	777	288
Henderson	253	173
Kaufman	289	63
Van Zandt	141	216
Smith	509	818
	2918	2875

Fourteenth Jud. District

	District Judge	
	M. P. Norton	J. F. McKinney
San Patricio	28	18
Live Oak	92	29
Nueces	132	109
Goliad	87	181
Refugio	105	47
Nueces	271	79
	715	463

Eleventh Jud. District

	W. F. Crosby
Sb. Pease, Presidio	744

Election Return Aug. 3d 1857.

Seventh Jud. District

County	District Attorney		
	James McCorkle	[illegible]	[illegible]
[illegible]	528	208	
Madison	104	110	5
Walker	246	27	6
Montgomery	171	203	
Grimes			
Galveston	395	182	87
[illegible]	[illegible]	[illegible]	[illegible]

Eighth Jud. District

County	District Attorney			
	Wm. Hale	[illegible]	[illegible]	[illegible]
Harrison	52	66	91	88	28
Nacogdoches	26	37	120	5	9
Sabine	47	68	49	6	6
Jasper	275	81	29	30	131
Shelby	124	27	117	105	24
Panola	247	347	3	193	3
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

Ninth Jud. District

County	District Attorney		
	Edward Langsby	James Jameson	[illegible]
Anderson	450		62
Houston	127		
Blair	287		
Webb	56		
[illegible]	[illegible]	[illegible]	[illegible]

Tenth Jud. District

County	District Attorney			
	A. J. Pinckney	[illegible] Jameson	A. M. Higginbotham	[illegible]
San Augustine	32	9		3
[illegible]	54	19	30	15
Tarrant	38	3	7	197
Collin	32	45	123	70
Refugio	50	18	34	50
Travis	191	95	24	26
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

Department of State,
Austin, October 2d 1857.

On this the second day of October 1857, I, the undersigned, Secretary of State of the State of Texas, E. M. Pease, Governor, and James Willie Attorney General being unable to act on account of their absence from the seat of Government, proceeded to open and count the return of votes made to the Office of Secretary of State, according to law, as given at an election held in the several counties of the State, on the Third day of August 1857, for a Representative to the United States Congress, from the First and Second Congressional District, each — Commissioner of the General Land Office, — For and Against the proposed amendment to the Constitution of the State of Texas: also at an Election held at the same time, in the several Counties composing the Second, Third, Ninth, Eleventh and Fourteenth Judicial District, each, for a District Judge: and also, for a District Attorney, in the several Counties composing the following Judicial Districts, to-wit: the Seventh, Ninth, Twelfth and Fourteenth, each: and that the result as in the foregoing five pages, viz, 147 to 151, inclusive, exhibits a correct statement, of the votes so returned.

Edward Clark
Secy of State.

The State of Texas

Executive Department

I, E. M. Pease, Governor of said State, do hereby certify that from an examination of the returns made according to law to the Secretary of State, of the votes given for a Judge of the District Court of the Second Judicial District of said State, at an election held on the Third day of August 1857, in the several counties composing said District, it appears that Alexander W. Terrell received the highest number of votes given for said office. And I hereby declare that said Alexander W. Terrell has been duly elected to said office.

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed, at the City of Austin, this the second day of October A.D. 1857, and of the Independence of Texas, the Twenty-Second year.

E M Pease

Seal of State

By the Governor:
Edward Clark
Secretary of State.

Note — The two certificates of election, bearing same date, were issued to —
Hon. W. C. Dwyer, Judge 2nd Judicial Dist.
" Benjn. F. Green " 9 " "
" J. H. Crosby " 11 " "
" A. W. Norton " 14 " "
Said Terrell's certificate to take effect from and after the first day of Jan'y 1858.

The State of Texas.

Executive Department

I, E. M. Pease Governor of said State, do hereby certify, that from an examination of the returns made according to law, to the Secretary of State, of the votes given for a District Attorney of the Seventh Judicial District of said State, at an Election held on the Third day of August 1857, in the several counties composing said District, it appears that James G. McDonald received the highest number of votes given for said Office: and I hereby declare that said James G. McDonald has been duly elected to said Office.

In testimony whereof, I have hereunto subscribed my name, and caused the Great Seal of the State to be affixed. Given at the City of Austin, this the second day of October A.D. 1857, and of the Independence of Texas the Seventy-second year.

By the Governor
Edward Clark
Secretary of State.

E M Pease

Note — Certificates of election similar to the above and bearing the same date, were issued to —
William Pike Dist Atty. 10. 3rd District
Chas. E. Hughes " " 12 " "
J. W. McCaughey " " 14 " "
and they have been certificated to before effect of the notification of the Governor of the Second ascertained —

San Francisco
Oct. 3. 1857.

To Brt. Maj. Genl.
P. C. Drigg
Comdg Dept. of Texas
Sir.

Circumstances have rendered it necessary that I shall call out a Company of Mounted volunteers to suppress certain outrages against the Public peace that have recently been committed in this vicinity, and the State is without arms at this place. I have therefore taken the liberty of applying to you to obtain them from the Ordnance Depot in this City —

The emergency is great and the arms are required for immediate use. I have just at hand to furnish Capta. Jas. Palmer who is to command said Company, 75 rifles and 150 Pistols, or such number not exceeding that, as Capta. Palmer may apply for. I will cause them to be returned in good order, or will procure an order from the War Department of Washington to have them charged to the State of Texas on account of the quota of arms now due said State from the United States. Or, as you may prefer, pay complying with this application will greatly oblige the public interests, and Oblige.

Very respectfully
your Obt Servt.
E M Pease
Governor of the State of Texas

The State of Texas

Whereas, the failure of the civil authorities and citizens of Karnes County, up to this time, to take any active measures for the arrest and punishment of the persons who recently assaulted an offending citizen on the public highway, and killed one and wounded several others, seems to require the adoption of such measures, on the part of the State, as will preserve peace and prevent similar occurrences hereafter.

Now, therefore, I E. M. Pease Governor of said State, by virtue of the authority vested in me by the Constitution and Laws thereof, have thought proper to call out a company of Militia, and place upon the road from San Antonio to the Coast for the protection of the lives and property of those engaged in the transporting of goods and merchandize over said road, until the Legislature can pass such laws as will secure the speedy arrest, and punishment of those who committed these offenses, and give ample protection for the future, to every citizen whose business requires him to travel on the public highways of the State. This is a measure of precaution; and the militia will only act in the defensive, unless it shall become necessary to repel assaults upon those under their protection, in which case they will use such force as will be required to defeat the assailants, and to arrest and deliver them to the proper officers for trial and punishment.

It is not intended that this company of militia shall supersede the action of the civil authorities, but rather that it shall aid them in the preservation of peace and good order; and it is confidently expected, that all the good officers of the State, and all good citizens, will see their obligations to bring past offenders to justice, and give full protection to life and property hereafter.

E. M. Pease

San Antonio, Oct. 3. 1869.

Fort Gibson
3rd Oct. 1837.

To Governor G. W. Nelson
Sir:

Relying full confidence on your fairness and discretion, I hereby authorize and commission you to raise and take the command of a Company of Mounted Volunteer Militia to be stationed along the route from Fort Gibson to the coast by the way of Texas and Polaski Counties, for the purpose of giving protection to the lives and property of those engaged in the transportation of corn and merchandize. The company will be enrolled for eight days service unless sooner discharged, it will consist of sixty seven privates, four Corporals, four Sergeants, one first and one second Lieutenant and one Captain. They will provide their own horses and arms, and will receive the same pay and in lieu and as are allowed by the laws of the United States, to volunteer mounted Militia when employed in their service.

In enrolling men for the service, you will receive none but those you believe to be well disposed, and willing to use their efforts to preserve peace and good order.

You will designate the officers of the Company under you, and upon a report of their names to me, Commissions will be sent to you for them at such place as you may direct. It is intended that you shall require all the officers and privates to abstain from trespassing upon the persons or property of citizens, and act towards them in a conciliatory manner, and in order to secure this being done, you are authorized at any time to discharge any officer or private who shall be guilty of disobeying any of the rules and regulations you may adopt for their government.

You will establish three or more stations along the route from this place to the coast, where you will keep your supplies.

It is desired that you shall afford an escort to each train passing up and down, sufficient to protect it from attack, you will confine the operations of your Company simply to the defence of the persons and property composing the trains, unless it may become necessary to

repel attacks upon them, in which case you will use such force as may be required to defeat the assailants and to arrest and deliver them to the civil authorities to be dealt with according to law. Should the civil authorities at any time, require your aid in the execution of process or the arrest of offenders, you will give it promptly, and in all such cases you will act under their directions.

In issuing rations of subsistence and forage, you will be governed by the rules and regulations of the United States service, a contract has been made to deliver them for your command at such places as you designate.

Should you deem it necessary to enroll any who are unable to supply themselves with arms, I gave you herewith a requisition upon the Commanding General of this Department, who has kindly consented to furnish such number of Rifles and Pistols as may be needed, in assuming these to the men you may enroll, you will take their receipts for them, and require them to be returned or accounted for when the men are discharged.

You will proceed to enroll the Company and place them on the roll as early as possible, it will perhaps be best to place detachments of the Company on duty at once, as they may be needed, without waiting for the whole company to be raised, but this is left to your discretion.

You will procure on the credit of the State, giving receipt therefor, such accommodation, tents and Camp equipage as may be needed for the use of your Command.

Should any other articles, allowed under the regulations of the United States be needed, you are authorized to procure them on the credit of the State, making a report to me in all cases of your proceedings.

You will make frequent reports to me of the operations of your command.

Eli Lee

Governor of the State of Maryland

Sir, I have not been able in the short time since I received this commission to procure a sufficient number of Rifles and Pistols to give you authority to enroll the number of men spoken of in your instructions.

Eli Lee

The State of Texas

Having confidence in the Integrity, Firmness and Discretion of E. A. Stevens, I, E. M. Pease Governor of said State, do hereby appoint and commission him the said E. A. Stevens to be the First Lieutenant of the Company of mounted volunteer Militia now being raised and mustered under the Command of Captain Governeur A. Nelson, to serve for sixty days unless sooner discharged.

His pay and emoluments will be the same as allowed under the laws of the United States to similar Companies when called into their services.

The said Stevens will act under the orders of of Captain Nelson in carrying out the instructions contained in his appointment issued on the 3rd of Oct 1859.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin this the Fifth day of October A.D. 1859, and of the year of the Independence of Texas, the Twenty-second.

Seal

E M Pease

By the Governor.
Ira Hillands
Actg Secy of State.

Note — A similar commission to the above, bearing same date, was issued to Samuel Dickson as Second Lieutenant

Executive Department
Austin, Texas, Oct. 7th 1857.

To the Executive Authority of
the State of Louisiana

Whereas, It appears by the annexed documents, which are hereby certified to be authentic, that Hubbard F. Sugg stands charged with feloniously stealing and carrying away one sorrel horse of the value of one hundred and fifty dollars, from the County of Cherokee, committed in the State of Texas, and information having been received, that the said Hubbard F. Sugg has fled from justice, and taken refuge in the State of Louisiana.

Therefore, I, E. M. Pease, Governor of the State of Texas, have thought proper in pursuance of the provisions of the Constitution and laws of the United States, to demand the surrender of the said Hubbard F. Sugg as a fugitive from justice, and that he be delivered to John T. Williams, who is hereby appointed the agent on the part of the State to receive said Sugg.

Given under my hand and the Great Seal of the State to be affixed, at the City of Austin, this the 7th day of October A.D. One thousand Eight Hundred and Fifty-Seven, and of the Independence of the United States, the 82nd and of Texas, the 22nd year.

Seal of Texas

E M Pease

By the Governor
Wm Holland
Actg Secy of State

Note — A Requisition similar to the above, having same date, was made on the Governor of Louisiana for the arrest and surrender of Joshua H. Hamkins - charged with the same offence.

The State of Texas

Know all men by these presents, that whereas, one Hubbard H. Sugg and Joshua H. Hankins stand charged by Indictment in this State, in the District Court of Cherokee County, Fall Term A.D. 1857, with "feloniously stealing and carrying away one dark bay horse of the value of one hundred and fifty dollars, from the County of Cherokee," — and whereas the said Hubbard H. Sugg and Joshua H. Hankins have fled from justice.

Now, therefore, I, E. M. Pease Governor of said State, having nominated, constituted and appointed, and by this Act do nominate constitute and appoint John H. Williams a Citizen of this State, agent of said State, for the purpose of receiving the said Hubbard H. Sugg and Joshua H. Hankins, and bringing them back to the State of Texas, in order that they may be dealt with according to law.

Given under my hand, and the Great Seal of the State, at the City of Austin, this the Seventh day of December A.D. 1857, and in the year of the Independence of the United States, the Eighty-second, and of Texas the 22d.

Seal of State

By the Governor
Bond Hilland
Actg Secy of State.

E M Pease

The State of Texas

Whereas, Thomas Dorney was convicted at the Spring Term in the year 1852 of the District Court of Bexar County of the crime of Rape, and was sentenced therefor to twenty-one years imprisonment in the State Penitentiary, where he has now been imprisoned upwards of five years; and whereas the said Dorney has been recommended to Executive clemency by the Judge who tried and the District Attorney who prosecuted him.

Now, therefore, I, E. M. Pease Governor of said State, by virtue of the authority vested in me by the Constitution and laws thereof, do hereby grant to the said Dorney a pardon for said offence, and hereby direct the Keeper of the State Penitentiary to release him from all further confinement for said offence.

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed, at the City of Austin, this the Ninth day of October A.D. 1857, and in the year of the Independence of Texas, the Twenty-second

(Seal)

By the Governor
Ben Stallworth
Secty Secy of State.

E M Pease

The State of Texas

Whereas, at a District Court held in and for the County of Grimes, in said State on the 9th day of October 1857, one Hezekiah Arnold was convicted of an aggravated assault, and was sentenced therefor to three months imprisonment in the County Jail and to pay a fine of one hundred dollars and the costs of the prosecution — and whereas, a petition for the pardon of said Arnold has been presented to me, signed by all the jurors and the Judge before whom he was tried, and also by the District Attorney who prosecuted him and also a large number of respectable citizens of said County, on account of the circumstances that attended the commission of said offence which were not in evidence on the trial, from which it appears that the assault was prompted by an attack upon the brother of said Arnold, in which he was killed.

Now, therefore, I E. M. Pease Governor of said State by virtue of the authority vested in me by the Constitution and laws thereof, do hereby grant the said Arnold a full pardon for said offence, and hereby direct the Sheriff of said County of Grimes to release and discharge the said Arnold from all further imprisonment on account of said conviction — and I do also remit, release and discharge the fine of one hundred dollars imposed upon said Arnold under said conviction, leaving him however liable for the costs of the prosecution.

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed, at the City of Austin, this the Seventeenth day of October A.D. 1857, and in the year of the Independence of Texas, the Twenty-second.

Seal.

E M Pease

By the Governor
Geo W Willard
Secy Secy of State.

Proclamation
By the Governor of Texas

It is no less a duty of communities, than of individuals to acknowledge their accountability to God, and to receive with gratitude the dispensations of his favor, while they bow with resignation to the chastisings of his Providence.

Now, therefore, that the People of this State may unite in rendering devout acknowledgments to Almighty God for his numerous blessings vouchsafed to them during the past season, I do hereby recommend that Thursday the 26th day of November next be observed as a day of Public Thanksgiving and Prayer.

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed, at the City of Austin, this the 23rd day of October A.D. 1857, and in the year of the Independence of Texas, the twenty-second.

Seal

E M Pease

By the Governor
Allen Holland
Secy of State

Executive Department
Austin, Texas, November 3rd 1857.

I, E. M. Pease, Governor of the State of Texas, do hereby certify that from an examination of the returns made according to law to the Secretary of State, of the votes given for a Representative in the 35 Congress of the United States from the First Congressional District of said State, at an election held on the third day of August, A.D. 1857, in the several counties composing said Congressional District, it appears that John H. Reagan received the highest number of votes given for said office of Representative; and I hereby declare that said John H. Reagan has been duly elected to said office.

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed, this day and year aforesaid, and of the Independence of Texas the Thirty-second year.

(Seal)

E M Pease

By the Governor
Edward Clark
Secretary of State

Note — A certificate similar to the above was made out for the Hon. Guy M. Bryan, Representative from the Second Congressional District.

Department of State
Austin, October 29th 1857.

To His Excellency
The Governor.

I respectfully submit the following report of the transactions of this Department of the Government since the 21st of December 1855, and of its present condition.

The most important duty devolving upon the Secretary of State, is the dissemination of the laws among the people. Considerable delay occurred in the discharge of this duty as to the laws of both sessions of the last Legislature and other books, notwithstanding prompt measures were adopted to get them out, and it is but just that the causes which induced it should be stated.

In the first place the Hon: Legislature did not, at its first session, make the necessary appropriation to pay for the distribution of the laws, journals &c,- and this proved a difficulty of no trivial character, as it is difficult to contract with persons for the performance of such labor when they have to await the action of a subsequent Legislature for compensation, and contracts made under such circumstances are generally less favorable to the State than when made entered into with the expectation of being paid immediately upon the execution of the work. This obstacle was in some degree removed however, by the early meeting of the Legislature. Contracts were prepared and awarded for the distribution of the laws, journals &c, at the close of each session of the Legislature, and the necessary bonds prepared and forwarded the parties with instructions as to their execution, and notice given as to the time the books would be ready for delivery. The persons undertaking the labor failed in both instances to appear when directed, and some time thereafter notified the Department of their abandonment of the contract. For some reason the parties did not execute and return to the Office the contracts and bonds. The first failure was perhaps but a small one, before the assembling of the Legislature, and it was thought, and so phrased that no general injury would

result from the course, it was concluded to delay the distribution of the laws of the winter session until those of the summer session of the Legislature, and the Codes, which were expected to be printed and delivered in season, were ready to go out, and at one and the same time and under one contract, forward to the Counties, the whole number of laws, journals, Codes &c, due them. In the mean time a copy of the laws, general and special, were forwarded through the mail, to the Chief Justice of each County in the State and the cost charged to the postage fund of this Department. A contract was finally made with Shirman Carr of this County, for the sum of sixteen hundred dollars, and all the laws, journals and other books due each County, well secured in cloth wrappers, were delivered him on the 13 day of February last; the period to which the distribution was necessarily postponed to await the arrival of the Codes. For his labor performed the sum paid is not deemed excessive. There are some one hundred and eighty Counties in the State, and the average number of books to each was about one hundred. The contractor tho' some time performing his task, has brought in the receipts of the proper Officers of each County, for the books, and they are safely filed in this Office. It is proper to state here that as soon as a sufficient number of Codes were received, one copy was forthwith dispatched through the mail to each District Judge and District Attorney in the State, and to the Chief Justice of each County.

I would respectfully submit that, the law regulating the duties of the Secretary of State should be so changed as to allow him more time to furnish the Public Printer with copies of the laws. He is required within six days after the laws reach his Office, to furnish copies to the printer, and subject as he is to be called upon during a Session of the Legislature to perform other duties imposed upon him, this time, with only one clerk, is not sufficient. For the first month or six weeks of the session the labor may be performed, but after that, the laws come so rapidly to the Department, that it is impossible to copy and compare them and furnish the copy within

the time given.

I deem this a proper occasion to state that the assistance of this office should, I think, be increased. The duties imposed upon it are responsible and arduous, and at times its business is so great, that, with the aid now given, it cannot be discharged as early as the public interests require. This was so particularly the case after the close of the summer session of the last Legislature, that I felt compelled to procure additional service. I engaged Mr. Philander Priestly of this City, allowing him, subject to the approval of the Hon: Legislature, the monthly compensation allowed other Clerks. There is now due him the sum of two hundred and thirty-seven dollars and fifty cents. His assistance was needed. He labored faithfully, and I respectfully ask that the Hon: Legislature will make the necessary appropriation to pay him.

It would not require the constant service of another Clerk to relieve the Office, and as it is contemplated, I believe, to establish a State Library, I would suggest that the Librarian, if such an Officer be made, might labor in the State Department when necessary.

It seems that this might be done, and in this way both Offices be accommodated with the increased expense to the State of one Officer only.

I respectfully suggest the following amendments of the law regulating the duties of Public Printer and prescribing the prices to be paid for printing the laws and journals.

It throws copies of the general laws should be added to the number now required to be printed, making the number five instead of four thousand. New Counties will probably be created by this and several subsequent Legislatures, all of which will have to be supplied with the laws, and the present number by the frequent additions made to the number of their officers, are constantly increasing their demand for them. Applications for them are often made by Counties that have had them, those heretofore furnished having been lost by fire or in some other way. These considerations induced the recommendation above made, and I think the number printed will not be greater than is needed at the other Legislatures. The expense of the printing of the prior edition, the five thousand

copies would, I presume, cost but little more than paper.

Care should be taken that the Public Printer is sent and deliver the laws at this Office. Without intending any reflection upon the merits of the present Printer, I think such a change would be beneficial to the State by the better security it would afford for the good and decent printing and stitching of the laws and journals. The Printer should be required to deliver as well as fold and stitch the laws and journals, and for the better accommodation of the bench, I would recommend that they be bound in a cheap and substantial style. This expense might be done at a cost of about fifteen cents per copy.

I should have stated in my formal report, but it escaped my memory, that a difference of opinion had occurred with the printer as to the price to be paid for the public printing. The difference arose upon accounts for printing the appendix journals of the 27th Legislature which were made up in great part of what is called rule and figure work. It was contended that the prices specified in the law relate to what is denominated plain work and that for rule and figure work double those prices should be allowed, or that one page of rule and figure work is equal to two of plain, such is the rule among printers I am informed, and it may be very just, but I do not think the law fixing the price for the public printing intends to recognize this rule and I have not felt at liberty to depart from its directions in fixing upon bills for printing. Under these circumstances I felt it due the present printer, however, and wished to notify him of my opinion of the law, and that I should adhere to it unless differently instructed by the Legislature. If a distinction in the printing is intended to be recognized, I would for the future relief and convenience of this Department and of the Public Printer, suggest that the law be so changed as to state the prices to be paid for the different kinds of printing.

The amendment proposed to the constitution by the last Legislature and submitted to the voters of the state at the election in August last, was defeated. In presenting it before the people, your Excellency

was particularly careful to recommend it to their attention, and to endeavor to provide against its failure, from misapprehension on the part of the electors, or mistake on the part of the managers of the election. Still it failed. The votes given for and against the amendment according to the returns of said election, amounts to twenty-nine thousand, eight hundred and fifty-eight votes; and of this number, eighteen thousand, seven hundred and fifty-six are for, and eleven thousand, one hundred and two against it, showing a majority in favor of the amendment, of seven thousand, six hundred and fifty-two votes. But the constitution requires that, to succeed, it should have received a majority of the votes of all those voting for Representatives in the Legislature, and as there appears to have been forty-eight thousand, seven hundred votes given in the state for Representatives in the Legislature, it is found that the amendment did not receive the vote required.

Bills for publishing the Proclamation of your Excellency submitting said amendment to the electors of the state have been received from thirty-nine papers, amounting together to the sum of $2024.85/100, and it is estimated that the accounts of the papers not yet heard from, will increase this sum at least, one thousand dollars, making the cost of the publication of said proposed amendment about $3024.85/100. No funds having heretofore been provided to meet this charge against the state, it will devolve upon the ensuing Legislature to make the necessary appropriation to pay it.

I feel it incumbent upon me to make known, through your Excellency, to the ensuing Legislature, the work on the part of this Department, of an efficient supply of the laws, Reports and other books, to answer the necessities of the state. The laws, including those of the regular session of the third Legislature are included in Twelfth Legislature; those enacted since that time are included in Fourteenth, and so on. Of Twelfth Legislature, there are now [illegible] office, about twenty-five copies, a number too small to meet the present demands of the [illegible] for them. It is [illegible] of the last Legislature [illegible]

second and fifth volume.

Except the eighth volume, just received, the State is without an adequate supply of the Reports of the Supreme Court. It is true, it is said as to the first several volumes, that some of the Counties last created and organized are deficient of them.

It will thus be seen that there must be a complete re-printing of the laws now in force, or a repurchase of the Reports, and a reprint of those laws not contained therein and of which the State is without copies, or a repurchase of the Supreme Court Reports from the first to the present volume inclusive, a sum far exceeding two hundred copies of each volume, barely sufficient to meet the deficiency which the law directs of them.

In my former report to your Excellency, I invited the attention of the Gen. Legislature to the neglected and exposed condition of this Department, and asked that a better and secure building than the one then occupied might be provided for it. Though no deficiency was made for this better accommodation, it is still, in my understanding, to be understood that it should be remedied, and acting upon this impression, under the direction and sanction of your Excellency, the office was removed to the room in the Capitol now occupied and used for it. It is believed to be now safe and protected from the injury and danger attending and threatening them in our late times. I have endeavored to do so directly and as much in accordance as that anything pertaining to it may be readily ascertained.

It will be found, if the Constitution requires a full and complete record of all the official acts of your Excellency.

It has been my wish to administer it so as to protect and advance the interests of the State committed to its charge, and render it useful to my fellow citizens, and if I have failed to do so, it has not resulted from want of desire and effort.

I should be derelict, in justice to my bondsmen, who have been with me during the time I have had charge of the office, if I failed to acknowledge my indebtedness to them for the efficient aid rendered me in the discharge of my labors, and I trust I may be excused, for taking this occasion to

extends to him my thanks, and the commendation due his business capacity and faithful and constant devotion to duty.

I have the honor to be
Very respectfully &c.
Edward Clark
Secy of State.

Message of the Governor
to the
Twenty Legislature.

Gentlemen of the Senate
and House of Representatives:

The pleasure experienced in speaking upon this occasion, is somewhat alloyed by the fact, that our usual prosperity has been interrupted, in some sections of the State, during the past two years, by a failure of crops caused by a drought, unprecedented in the annals of the country. We have, however, abundant cause for congratulation, in the bountiful supply with which our sections have been favored, the remarkable health that has distinguished the past season, the continued increase of our population and the rapid extension of our settlements. These blessings should fill our hearts with devout gratitude to that Omnipotent Being whose power and goodness have been so manifest unto us in our great history.

Many causes combined to render upon prudent business men of moderate interest. Yet I have recommended as a special cause a large portion of the burden in laboring under pecuniary embarrassments, that has so suddenly depreciated the value of every description of property, and rendered for a season, the operation of almost every branch of industry; the cause of this depreciation I cannot but trace to the rapid increase of paper, that has taken place in the last two years of [illegible]

improvident issues of paper currency have led to rash speculation and an extension of credit beyond the reasonable demand of business.

Our state is but slightly affected by these calamities, and that we have in a great degree escaped them, is owing to the fact, that under our prohibitory legislation, no paper currency has ever been able to obtain a general circulation among us.

It is to be hoped that the present financial crisis and the causes that have produced it, will not be disregarded by those who are seeking to change our policy in regard to banking.

In giving you a statement of the condition of our finances, I am gratifying to be able to communicate, that there has been a very considerable increase in the value of our taxable property during the last two years, though not so great as in some former periods. The total valuation of the assessment for the year 1857 was $[illegible] and the sum produced are not materially different from 1856. The state tax for that year was $[illegible], and the tax upon occupations and sales of merchandise, $[illegible] 34, making the entire tax, for the year, amount to about $[illegible] 88, showing an increase of about eleven per cent over that for 1856.

The net revenue produced by this tax, after deducting the expenses for assessing and collecting and the ten per cent. appropriated by the Constitution for schools, was about $[illegible] 05.

The total valuation for the year 1857 was $183,594,205, and the produced an additional tax of $2,116,901 34. The poll tax for the year produced $24,225 00, and the tax upon occupations and sales of merchandise, $[illegible] 34, making the entire tax, for the year, amount to about $[illegible] 88, showing an increase of about eleven per cent over that for 1856.

The net revenue produced by this tax, after deducting the expenses for assessing and collecting and the ten per cent. appropriated by the Constitution for schools, was about $[illegible] 05.

Some of these figures may be slightly changed by the official reports, which are not yet completed.

It will be seen that the net revenue from taxation, for the two years of 1856 and 1857, was about $484,333 58, which is about the same as the appropriations for the ordinary expenses of the government for those years, including the amounts appropriated for the support of the Insane Asylum, the Institutions for the education of the Blind, the Deaf and Dumb, and for the Penitentiary.

On the first day of the present month, the funds in the State Treasury, exclusive of the School Fund, amounted to $1,230,000 00; but of this sum about $470,000 00 are subject to be drawn, for the payment of appropriations heretofore made, so that the actual balance in the Treasury, applicable to future appropriations, is only about $760,000 00.

The ordinary expenses of the government, during the next two years, will be considerably more than they were for the two past years. Several new judicial districts will have to be created for the accommodation of the newly established frontier counties; and certain costs in criminal prosecutions, which under the provisions of the Code of Criminal Procedure, are to be paid by the State, to clerks and sheriffs, will have to be provided for.

The probable amount that will be required to meet the ordinary expenses of the government, during the next two years, is about $540,000 00. The funds now in the Treasury will be sufficient to pay these expenses, and all extraordinary appropriations that should be made at the present session; but if we rely on these funds alone, and release to the counties the taxes of the ensuing two years, as we have done of the last six, we shall find ourselves with an exhausted Treasury, during the succeeding two years of 1858 and 1859; for most of the taxes of 1858 will be uncollected in the Treasury until near the middle of the year 1861.

It has, therefore become a question that we shall now abandon that practice.

Should we hereafter retain the taxes for the use of the State, the net revenue [illegible] be reduced, from the present rate of [illegible] cents on the $100, and [illegible] to twenty cents. [illegible] they will not [illegible]

the ordinary expenses of the years 1858 and 1859, but whatever deficiency there may be, can be supplied from the funds now in the Treasury, and long before these funds will be exhausted in paying such deficiencies, and the extraordinary appropriations that will be required, the increased value of our taxable property will produce, at the reduced rates, an ample revenue to meet all our wants.

A thorough investigation of this subject has satisfied me that this reduction may be made and that we shall still have ample means to meet all appropriations here recommended and all others that justice and sound direction may dictate.

I cannot end in this occasion, calling upon attention to the fact, that justice has not been done to a portion of the creditors of the late Republic of Texas. Under the act of the Congress of the United States, providing for the payment of those creditors whose debts were recognized by a Bridge of the amount due of the late Republic, which was accepted by the last Legislature, all those debts have been paid at the rate of seventy six cents and nine-tenths of a cent on each dollar of their ostensible value, although they were classified and acknowledged by the State at different rates, ranging from twenty to one hundred cents on the dollar. Among the debts so classified and acknowledged, were $229,291 47 of ten per cent. bonds issued to Samuel Swartwout, and others, for a loan obtained from them during the first year of our revolution, $65,208 33 on the first issue of paper money made and by the Republic, which were paid out by the Government at par, and $198,000 five per cent. bonds issued to the United States Bank, for a loan obtained in the year 1837; the first two of which were classified and acknowledged at their ostensible value, and the last at eighty-seven cents and forty-five-hundredths of a cent on each dollar, of its ostensible value. The holders of these debts received under the act of Congress, before referred to, only seventy-six cents and nine-tenths of a cent, on each dollar of their ostensible value, and there is still justly due them the difference between what they received, and what the State acknowledged to be

due them, which amounts to $153,217 56. These debts were among the most meritorious that were owing by the Republic, and they are the only ones that have not been paid at as high a rate as they were acknowledged. The holders of these debts were always willing to accede to the terms of payment proposed by Texas, but owing to the refusal of the other creditors to accede to these terms, they could not be paid. When our Legislature accepted the act of Congress, before referred to, the holders of these debts, acting on the principle that had previously governed them, of throwing no obstacles in the way to prevent us from settling the whole debt as we thought proper, readily acceded to it, received their pro rata, although much less than we had acknowledged to be due them, and signed releases.

When this matter was before Congress, it was objected to the bill, that these creditors would not receive as much under its provisions, as Texas had acknowledged to be due them, and to obviate this objection that provision was inserted, by which the United States were to refund to us the amount we had already paid on a portion of the debt, which it was supposed would be sufficient to enable us to make up to these creditors what they would lose by receiving the pro rata payment proposed.

We have received under that provision the sum of $298,065 55, which is more than double the amount due to these creditors.

This whole subject was fully canvassed by the last Legislature, when the act of Congress was accepted, and a bill for the payment of these debts passed the Senate and received a very considerable majority in the House of Representatives, but it failed to become a law, owing to a decision of the House, in opposition to the opinion of the Speaker, that it required a vote of two-thirds to pass such a law. This decision was based upon the mistaken ground that, as the holders of these debts had signed releases, when they received their pro rata payment under the act of Congress, their claims were extinguished, and any further payment to them was a gratuity which could only be made by a two-thirds vote.

Whatever may be said as regard to the cases argued by these parties, the facts are as stated, but we by our legislation have a sound position

debts to be justly due, that they have never been paid, that the obtaining of these releases in order to obtain from the United States any portion of their debts, and that every other creditor of the Republic whose debt was secured by a pledge of the sinking funds, has been paid the full amount that the State acknowledged to be due him.

I have been thus minute in detailing the circumstances in relation to these claims, in order that the subject may be properly understood. For I feel that the honor and reputation of our State require that they should be paid.

The reports of the State Treasurer, as Ex-officio Superintendent of Common Schools, for the years 1856 and 1857, show that the principal of our school funds has been increased to about two millions and two hundred thousand dollars, under the provisions of two laws of the last session, by which the ten per cent. of our annual revenue was set apart by the Constitution for schools, and the proceeds of the sales of all public lands within the limits of the Chesapeake and Ohio railroad reserve, are annually added to the fund.

Should these judicious provisions remain unbroken, and a similar law be enacted, for the sale of our public lands in other parts of the State, the proceeds will be added to the fund, as well here after by increased over a hundred thousand dollars each year.

The number of scholars reported for the year 1856, was 78,[illegible], and the amount distributed for schools, from the income of the fund, was $141,588 00, being about one dollar and thirty-eight cents for each scholar.

The number reported for 1857 was about 82,000, and the amount distributed from the income of the fund was $146,000, being about one dollar and twenty one cents for each scholar.

While the amended school law of the last session, has proved to be most secure satisfactory to the people, from the passage of the law, numerous instances have occurred in the districts, that will require amendment.

[illegible] particularly incurred to the [illegible] and [illegible] schools [illegible]

in these reports. They are the results of the experience of the Superintendent and others, in witnessing the practical operation of the present and former law, and are worthy of your serious consideration.

On former occasions, I have called the attention of the Legislature, to the importance of establishing a State University, where all the facilities can be furnished for obtaining a thorough education, that are to be found in other States; and I feel that I should be wanting in duty, did I fail to urge this measure upon your consideration. No country was ever better situated to commence such an undertaking. We have ample means in the Treasury, not needed for other objects, with which to erect the necessary buildings; and we have two hundred and twenty-one thousand and four hundred acres of land already set apart by your predecessors for a University, the proceeds of which, if properly managed, will be a liberal endowment, and will enable us to command the services of the ablest professors in every department of learning.

The necessity for such an institution is felt and acknowledged by every one; and I trust that you will not let this session pass, without adopting measures for its establishment at an early day.

The sixteen of the University lands, to make up the fifty leagues, have been selected and surveyed in accordance with the provisions of an act of the last Legislature.

But little progress has been made, under the act authorizing the University lands, heretofore located, to be divided into quarter sections, and alternate each thereof, to be sold. Only two District Surveyors have made returns of their work to the General Land Office; and one of these was so imperfect that it had to be sent back for correction. I have not thought it advisable to commence the sale of any of these lands, until all, that are situated in the same section of the State are ready for sale, under the law.

I transmit herewith, the reports of the Inspectors and Superintendents of the Penitentiary for the Education of the Blind; and of the Deaf and Dumb.

The annual expenses of the Penitentiary for the two last years amount to the sum [illegible] per year, [illegible]

to push them into operation, and to support them during the year. Many difficulties have been encountered by the Trustees in commencing and putting these institutions into successful operation, and great credit is due to them for having so disinterestedly given their time and labor without compensation, to the accomplishment of these benevolent enterprises.

The education of these unfortunate classes of our population is no longer an experiment in this State. The two institutions have on the 1st of October last, each, upwards of 100 pupils, and the latter number all of whom, under the judicious management and instruction of the Superintendents and teachers, have made rapid progress, in the acquisition of knowledge, that has opened to their minds the divine light of religion, given them a capacity for the enjoyments of life, they could not otherwise have obtained, and will fit them hereafter to become useful members of society.

The institutions at this time have been as successful in the first year of their organization, and they it is to be trusted in the wisdom and well-directed labors of the Trustees, and their good fortune in having secured the services of Superintendents, who are true philanthropists and admirably adapted, from their education, dispositions and habits, to the duties they have to discharge.

Buildings have been raised in the vicinity of this City, for the temporary use of these institutions, and I recommend that provision be made for the purchase of sites, and the erection of permanent buildings. The suggestions and recommendations contained in these reports are commended to your consideration, with full confidence that your wisdom will not fail to foster and encourage what has been so well begun.

Some delay occurred in the selection of a site for a Lunatic Asylum, in accordance with the provisions of a law of the last legislature, owing to the fact, that one of the Commissioners first appointed, was unable to serve.

The Commission, as finally organized, consists of Dennis Hogan of Dallas County,

E. F. Branch of Liberty County, and C. A. Cotton of Wayne County. They selected a site in the vicinity of this City, containing fifty acres, which cost twenty-five hundred dollars, two hundred and fifty of which were paid by the State, and the residue by the citizens of this place. A doubt afterwards arose in regard to the title obtained by the Commissioners, owing to the existence of an adverse claim to the land. This has since been removed by a release from Thomas J. Chambers, voluntarily executed.

Immediately after the selection of the site, the Building Commissioners turned their attention to the preparation of a plan for such an institution. At the outset, they found themselves embarrassed for want of proper information on the subject. Their investigations soon satisfied them that without the assistance of some one familiar with the treatment of insanity and the interior arrangement of Insane Hospitals, they could not have a suitable plan prepared. It was therefore deemed best, that a competent superintendent of the institution, should be appointed at once, and that the necessary buildings should be planned and erected under his supervision and direction.

Dr. John C. Perry, a physician, whose previous education and experience in similar institutions, render him well qualified for the station, was accordingly appointed, and is now engaged in the preparation of a plan and specifications for a suitable building, which will shortly be completed, when the Commissioners will proceed to contract for its construction, in accordance with the provisions of the law under which they act.

The four hundred thousand acres of land, appropriated by the last Legislature for the Lunatic Asylum, the institutions for the education of the Blind and the Deaf and Dumb, and for an Orphans Asylum, were all located within the limits of the Chickasaw and Choctaw Nations, and entries of them were made in the proper land-districts, before the 1st day of December last. A part of these were made prior to that day and the residue have since been [illegible]

These lands are believed to be [illegible] and that were [illegible] of the Nos. [illegible]

which it is thought desirable, ~~that~~ they may be sold for good prices, at an early period.

Application will be made to you, for relief, to those who settled upon public land, within the Mississippi and Pacific Railroad Innovation, between the 21st of December 1853 and the 26th of August 1856. It will be recollected, that under the provisions of the "Act to authorize the location, sale and settlement, of the Mississippi and Pacific Railroad Reserve", all those who were then settled within it, upon public land, were required to pay to the Commissioner of the General Land Office, on or before the 1st of January 1858, fifty cents per acre, for their settlement, not to exceed one hundred and sixty acres.

Efforts will doubtless be made, to obtain from the State, a release of these lands, without any fraud by the settlers. To understand the merits of these claims to this gratuity, reference should be made to the circumstances under which they entered the reservation. In December 1853, all the public lands within certain specified lines were reserved from settlement and location. Alternate sections thereof were set apart to encourage the construction of a railroad from the eastern line of the State to El Paso; and the revenue was reserved to the use of the State until otherwise directed by law, with a general understanding, it should contribute a fund for promotion of education and other improvements. Kind indulgence of government was then received for objects of the greatest interest: and while thousands of our citizens holding headrights, donations and bounty certificates, issued to the early colonists and soldiers of the Revolution, were deprived of the privilege of locating them within its limits, these settlers, many of whom had been but a short time in the State, entered the reservation and took possession of the choicest lands to be found, in direct opposition to our policy, and in violation of our positive law. Being then in its possession, when the reservation was opened, they were permitted to retain their lands at the positive price of fifty cents an acre, to be paid without interest at the expiration of eighteen months, although it is a matter of public notoriety, that they would then have brought from one to five dollars per acre, at

public sale, exclusive of the improvements upon them.

The mere statement of these circumstances, would seem to be a sufficient answer to an application for such a gratuity.

Those of you, who were here at the last session, know how pertinaciously a donation of these lands was then insisted on, and how difficult it was to retain this provision; its retention was considered as the first step taken towards making our public lands available hereafter for objects of public utility. If we now refuse to retrace that step, our future course will be a plain one, and we may hope, in time, to realize from the sale of our public domain the means for supporting a general system of education, and aiding in the construction of railroads without which, we shall make but slow progress in developing the resources of the State.

Should these parties limit their application for relief, to an extension of the time within which, to pay for their lands, it should be granted; for it is well known that the disasters that have attended the cultivation of the soil in that section of the State, during the last two seasons, have prevented those engaged in this occupation, among whom are much of these settlers, from making anything beyond a subsistence.

A law permitting them to pay for their lands in two instalments, at one and two years with interest, will be cheerfully approved.

Some provision should be made for the sale of the alternate sections of lands reserved to the use of the State under the act, to encourage the construction of railroads by donation of lands, and the act granting lands to the Illinois and Chicago Navigation Company.

The State now has six hundred and fifty-seven sections, equal to 420,480 acres of lands that are occupied and improved, which are "not liable to location, entry or pre-emption privileges." She will in a few months have four hundred and ninety four additional sections, equal to 314,160 acres; and the grant to the Navigation Company as other sections of road are completed.

Some of these lands are situated on parts of the State where settlements are now being made and where [illegible] made before the [illegible] of another legislature, [illegible] to [illegible] have been [illegible]

that they will be able to obtain them by donation, or be allowed to retain them for a mere nominal price. It is therefore desirable, that we should now, before any interest has been created to favor such a misapplication of them, establish a price at which parties may enter and purchase them. We shall thus take away all pretext for trespassing upon them, and indicate in the most positive manner our intention that they shall be applied in good faith, to education and internal improvements as was originally intended.

Under that provision of the "Act to authorize the location, sale and settlement of the Mississippi and Pacific railroad lands," which allows the Commissioner of the general land office, to issue land scrip, at fifty cents per acre to be located within that service, he has on the 1st day of March last issued 27,710 acres

If such scrip were authorized to be issued and located upon any part of our public domain, it would be there would be much demand for it, as land certificates are becoming exceedingly scarce, and their value has appreciated nearly to the price of scrip. Many would prefer purchasing such scrip, even if they pay more for it, as they thereby avoid all danger from the imposition and frauds so often practiced in the sale of certificates.

If such scrip be authorized, none should be sold for a less price than fifty cents per acre, and each piece of scrip ought to be located in a square form and in one place only, except in cases where pre-emption claims do not admit of it.

A law was passed by the fifth legislature, by which the Governor was authorized to appoint a commissioner and Surveyor to run and mark the boundary line between our state and the Territories of the United States, from the point at which it leaves the River to where it intersects the Rio Grande, or never the United States should appoint the necessary officers on her part to join in the work: Immediately after this law was passed, a correspondence was opened with our Senators and Representatives in Congress who were requested to procure the passage of a law for the appointment of the necessary officers on the part of the United States. Neither the

subject brought before Congress, but I am not aware that any final action has been taken upon it. Our citizens are now making surveys of land along that line, and settlements will soon follow; it is therefore important that measures be taken to run the line, or at least to ascertain and mark on the ground, the point at which it leaves Red River, without, the co-operation of the United States, should that be much longer delayed.

During the early part of the present year, information was received that many of the County Courts, within the limits of what was known as Polk's Colony, were issuing land certificates upon illegal evidence, and to persons not entitled to them.

Commissioners were immediately appointed, under the authority vested in the Executive by the "Act to ascertain the legal claims to money and lands against the State," who were instructed to examine the records of the County Courts in all those counties, and to inquire into the manner in which they were kept, and make a full report, as early as convenient, in relation to all cases where these courts, or any of them, had violated the laws enacted for their government.

Some of the Commissioners first appointed, having declined to serve, the organization of the Board was greatly delayed.

The Commission as finally organized, consisted of H. J. Sandrik and James W. Head of Grayson County, and E. P. Nicholson of Dallas County.

Their report has not yet been received, but may be expected at an early period of your session.

When received, it will be transmitted to you with such recommendations, as the nature and extent of the frauds disclosed, may seem to require.

The first annual report of the Board of School Commissioners, organized under the "Act to provide for the investment of the Special School Fund in the Bonds of Railroad Companies incorporated by the State," is herewith submitted.

But few loans have yet been made by the Board. One of one hundred and fifty thousand dollars to the Houston and Texas Central Railroad Company on the 15th day of April last, constitutes the bonds that constitute said fund. [illegible] by the company at a [illegible] per cent [illegible] during the year, at which time [illegible] the United States Government. [illegible]

of eighty thousand dollars to the same company, made on the 28th day of October 1867, under which it is assumed that no government will be obtained on the bonds, since it was understood here unofficially, on that day, that the United States had ceased redeeming them; a premium of five per cent was however offered, until advices can be received in regard to what government, if any, they have in New York; when the whole or such portion thereof, as may be right will be returned.

The Trinidad Bridge, Fragos and Colorado Company, applied some time since, for a loan of one hundred and fifty thousand dollars, and an Engineer was appointed to examine and report, whether the condition of the road was such as to entitle the company to the loan but no report has yet been received.

The operation of the law, authorizing these loans, has not proved as advantageous to our railroad interest, as was anticipated by its advocates. The amount loaned under its provisions is not sufficient to afford them much relief, and they cannot readily obtain a second loan, as their road has been mortgaged to this State.

The demand for paying premiums for subsidies and bounty, during the war, can be met, only in other State, by issuing our bonds that are now selling at a premium, but the same cannot be paid out without money, or such paper as can be readily converted into money; neither of these can be obtained from our citizens for any great extent of road; few of them have any money or cash paper beyond what they require for their ordinary business, and these only have, from more certain and more profitable modes of employing it, than investing it in railroad stock, or loaning it for a second mortgage on a railroad.

It is not believed that any aid, granted to our railroad companies, short of the means necessary to finish their road, will enable them to prosecute their roads with a rapidity that will not disappoint expectation.

Notwithstanding this belief, I am not disposed to recommend the authorization of any other mortgages for giving aid by the State, in the construction of railroads

than that now possessed, while we retain in our constitution the present restrictions upon the power of the Legislature, in regard to the subject of internal improvements.

The present system was adopted after mature deliberation, and seems to be satisfactory to the great majority of our citizens; it is perhaps as good as any we can adopt without a change of our Constitution; it enables a few companies to struggle along and accomplish something, though it is much to be feared that the present embarrassed situation of the money market will prevent, even these companies, from making any progress during the next two years beyond the completion of such contracts as have already been entered into.

Much complaint is made of that provision of this law which requires a company to have twenty-five miles graded in advance of that which has been completed, before it is entitled to a loan upon any section of completed road, though this provision is believed to be the best security the State has for the re-payment of the loan, since no road can be completed and equipped, twenty-five miles in length with an additional twenty-five miles graded, at a cost of much less than three hundred and fifty thousand dollars in actual money; and such an amount cannot be raised and invested in a railroad at any point in the State, where there is not a certain prospect of obtaining sufficient business to make the road an undoubted security for a loan of one hundred and fifty thousand dollars.

While it is not thought advisable to change this provision, there would seem to be no good reason why a company that has received a loan upon twenty-five miles of completed, and twenty-five miles of graded road, should not receive a further loan upon each additional section of five or ten miles that it may complete, without being required to make any additional grade in advance.

Such of our railroad companies as have [illegible] any considerable amount on their roads [illegible] to comply with all the requirements of their charters or of our laws, for the encouragement of their construction, in regard to time [illegible] reasonable extensions in all cases, where they [illegible] all favors and privileges [illegible] are [illegible] to all other companies. [illegible]
[illegible]

granted only on condition that the company consents to such restrictions of its powers and privileges as experience has shown to be necessary for the protection of the rights and interests of the State or any of its citizens.

It is much to be regretted that we did not at first adopt the principle of granting to all such railroad companies, similar powers and privileges; if we had, there never would have been any inducement for heedless legislative haste with applications for extraordinary powers.

If we would now remove the inducement we ought, as early as possible, to bring all railroad charters to the same standard; this we can easily do, as companies apply for relief; for there are few, if any, that will not negative it.

Before dismissing the subject of railroads, I wish to call your attention specially to the 12th section of the "act to encourage the construction of railroads in Texas, by donations of land," by which those roads which have been or are on the gulf coast, the Sabine River, or on Galveston Bayou, are subjected to a provision that requires the construction of twenty-five miles of these roads, within two years after the passage of their charter, and twenty-five miles each year thereafter. No good reason can be assigned why these roads should be subject to such a provision, when all other roads in the State are exempted from it; it has hitherto caused them much inconvenience and embarrassment, and will continue greatly to retard their progress.

The reports of the Directors, Superintendent, Financial Agent and Treasurer of the State Penitentiary are herewith submitted for your consideration. Its affairs appear to have been well managed. For something over a year, a large portion of the convicts have been employed in the manufacture of cotton and woollen goods, which have found a ready sale; and the results are highly encouraging. It is confidently expected, by the officers, that the Penitentiary will hereafter be able, with the labor of the convicts, not only to support itself, but to yield some profit to the State, instead of requiring an annual appropriation of about twenty thousand dollars.

you will find in these reports much useful information in regard to its management, and many suggestions and recommendations worthy of your attention.

The Penal Code adopted by the last Legislature, has now been in force nearly a year; and its practical operation has shown many omissions that should be supplied, and some imperfections that should be amended. The general principles upon which it was framed are such as should commend themselves to public favor.

It contains within a small compass, and in intelligible language, suited to the comprehension of the most ordinary capacity, the whole criminal law of the State. I am apprized that it has not escaped severe censure; but it will be found that those who have condemned it the most, are often those who have not thoroughly studied its provisions, and that many parts of it, which are a subject of complaint, are but the re-enactment of provisions of the common law that were in force here when the Code was adopted.

The most salutary changes in the law often meet with opposition, until the community, for whom they are designed, become accustomed to their operation; and it is believed that if this Code had been tried for two years, instead of one, very few, if any, could be found who would wish it repealed.

The report of the Attorney General, which is submitted herewith, contains many valuable suggestions in relation to the Penal Code and the Code of Criminal Procedure, which are commended to your favorable consideration.

The reports of the present and former Commissioners of Claims, will be presented to you as soon as practicable, with a special message in regard to the operations of that office, and such changes as experience has shown to be necessary in the law governing its business.

At the close of your session, it will be your present duty to make provision for an enumeration of the inhabitants and electors of the State, according to the provisions of the 24th Section of the 3rd Article of the Constitution, preparatory to a new apportionment of Representatives and Senators, to be made at the succeeding session. If you move to organize this enumeration to be made, by the Assessors and Collectors of said Counties, at the same time, [illegible]

census of our school population, it would add but little to his labor and could be done for a small additional compensation.

In making such of our report applicable to the number and electors of each County, from which no enumeration had been returned, I have estimated from the best data that could be obtained.

To prevent a recurrence of this inconvenience, such a penalty for a failure to perform the duty should be imposed upon those intrusted with it, as will insure a prompt return from every county in the State.

I would suggest the propriety of requiring the Treasurer and Collector, which is about this enumeration to obtain a separate enumeration of persons, in regard to the number of land in cultivation, and the value of our agricultural, horticultural and manufacturing productions, for the preceding year. In this way without much expense valuable information could be obtained, which would be highly useful not only to our own citizens but to those of other States and Territories who are desirous of collecting a fund among us.

It also has been a matter of much inquiry among the inhabitants of this State, whether a Governor can be elected by a plurality of votes. I think it should be so, I do not believe there is a majority of electors to make repeal.

You are aware that it adopts an amendment to the Constitution, it would become a matter of the votes of those who voted for representatives. The relative vote given for Representatives, at the last election, so far as it can be ascertained from the returns made to the Secretary of State, was 28,700, several counties having failed to make any return of

the votes for Representatives; only 29,808 of that number voted on the amendment, of whom 18,756 voted for, and 11,102 against it. So that, including those who voted against it with those who failed to vote, 29,944 must be counted as against the amendment, while but 18,756 voted for it.

The result of the vote upon this salutary amendment, against which no reasonable objection could be offered, and against which no strong opposition was manifested, shows that, owing to the indifference with which a great number of our electors treat such questions, it will be exceedingly difficult, now to adopt an amendment to the Constitution, strictly in accordance with its provisions, however desirable it may be, and has deterred me from recommending for your consideration any of those amendments heretofore urged upon your predecessors.

This result also induces me to suggest the propriety of your causing the opinion of the electors of this State to be taken at the next August election, whether a convention should be called to amend the Constitution.

The situation of the State has changed so materially since our Constitution was framed, that in many important particulars, it requires radical amendments to adapt it to our present wants. Then we had but sixty-six counties, and only about one hundred and fifty thousand in habitants — now we have ninety-seven and eighteen counties, with a population of more than half a million, scattered over nearly three times the extent of country they then occupied. Greater changes have occurred here, in a period of twelve years, than usually happen during several generations in older commonwealths, where it is found necessary for each succeeding generation to modify their Constitutions.

I have with me herewith, a copy of the proceedings of the Governor, State Engineer and Surveyor, in discharge of the duty imposed upon them by an appropriation act of the Legislature for the improvement of the navigable waters of the State. [illegible] statements of the amount of the [illegible] made to each engineer [illegible] state enterprises [illegible] work [illegible] the end of [illegible]

State Engineer is expected in a few days, which will be laid before you with a report of the actual proceedings of the Executive in relation to the funds.

Your attention is invited to the propriety of making a change in the fiscal year, so as to have it end on the 30th day of August. It now ends on the 30th day of October, and it is impossible for the reports of the Comptroller, Treasurer and Commissioner of the Land Office to be made out and transmitted to the legislature until it has been in session a few days. As we approach it, they are not usually prepared to be for distribution before the adjournment of the session.

The business of the legislature might be greatly facilitated by the passage of a law requiring all public officers, boards and institutions whose duty it is to report, to the legislature or Governor, to include in such reports, all transactions for the year ending on the 30th day of August, and transmit them to the Secretary of State on or before the 1st day of October, which date it should be the duty of the Secretary of State to have them printed and laid before the legislature at the commencement of the session.

A similar practice is found to work well in many of the states.

The state ought to be able, at all times, to supply its officers with all its stationery. This, it has been notable to do for some years past, owing to the fact that none of the first and second legislatures and of several sessions of the Congress of the Republic are unlikely ever to finish. Provision should be made for a repository in which the property, both of the Republic and State, and the edition should be sufficiently large to supply our future wants.

Measures have been taken for the commencement of a Library for the State; a fund of the last legislature having appropriated five thousand dollars for that object, to be expended under the direction of the Governor. In the selection of books, care has been taken to order all such as might be useful to the legislature and those engaged in the other departments of the government. Some of the books have been received and others

will probably arrive before the close of your session.

An appropriation will be required for fitting up the Library room, and provision should also be made for a Librarian.

Our frontier counties have not been entirely exempt from Indian depredations during the past two years, though such occurrences have not been as frequent as at former periods. Brt Maj Gen. Briggs, who is now in command of this Department, has done every thing in his power to give entire protection to our citizens; but the force under his command is altogether too limited. I am assured that he has already applied for such an increase of force as will be adequate to that object, and that if no troops from other Departments can be sent here, he is desirous that a regiment of mounted men from this State shall be called into service for one or two years, and will give his co-operation in obtaining the sanction of Congress to such a measure.

The recent outrages committed upon persons engaged in transporting Merchandise on the public highway, and some of our western counties, as well as the measures adopted by the Executive to prevent a recurrence of them, will be made the subject of a special Message, that will be sent in at an early day of the session.

Our relations with the Federal Government, and with the different States composing it, are a subject of deep anxiety to every patriot. The rapid strides made in the last few years, by a party in the Northern States, organized with the avowed object of endeavoring to effect the abolition of slavery as it now exists in fifteen States and some of the Territories, has very justly excited fears for the perpetuity of the Union. Such movements tend directly to destroy that harmony which should exist between different parts of this Union, and cast a cloud over the fairest prospects of prosperity and happiness that ever dawned upon a people. The people of Ohio are attached to their Constitution and Union, they seek nothing for themselves, save the Blessings secured by that sacred instrument, but those rights guaranteed by the Constitution, and every infringement of those rights will never be tolerated by them.

In discharging my last duty to you [illegible]

have congratulated the people that during the continuance of the administration of our present Chief Magistrate, the rights of the South will receive that protection guaranteed by the Constitution, since his policy, thus far, as indicated by his official acts, conforms to the principles upon which he was elected.

We have been called, during the past year, to mourn the death of several citizens holding important official stations. In addition to Judge Pettit of the Little Rock District, Judge Lipscomb of the Supreme Court, Judge Rapier of the Chancery Court, and Judge Dickinson of the Circuit Court, we have lost by death the Treasurer of State.

It is gratifying that persons of high professional attainments have been selected to fill the vacancies thus occasioned. They have entered upon the duties of their respective offices with a laudable zeal to promote the interests and affairs of the State, and to discharge the duties of their respective offices with a zeal worthy of the best days of the Republic.

Some have, at times, been unfortunate in the selection of the proper men for the proper place, and a change of officers has been made. Some have failed to perform their duties, while others have been engaged in the discharge of their official duties. These, when called upon, have shown themselves equal to the occasion, and have kept the public good in view.

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The record of the proceedings of the last session of the General Assembly, which will be laid before you, will show that the interests of our State have received the attention of the legislature, and that the laws passed have been in the interest of the people.

The record of our State is well calculated to repelle the worst slanders heaped upon it by its bitterest detractors, and to convince every one, that it compares to bright contrast when compared with some of the worst governments

the direction of its public affairs. It is my ardent prayer that we may, under the favor of Providence, be able to acquit ourselves of that responsibility, in such a manner as will meet the approval of our mutual constituents.

I cannot close this communication, the last of the kind I shall have the honor to make, without tendering through you, to the people of Texas, my sincere gratitude for the many evidences I have received of of their confidence, and for the uniform indulgence they have extended to my official acts. In retiring from the responsible station with which they have twice honored me, the only regret I shall feel, will be, that I have not the power to serve them as well as my inclinations prompted.

E M Pease

Executive Department Nov. 2 1857.

Executive Office
Austin, Texas, 25. Sept. 1857.

James Willie Esq
Attorney General
Dear Sir

Under the provisions of a "Joint Resolution authorizing the Governor to institute "certain suits, if necessary, in relation to the erection "and furnishing of the new Capitol," passed September 5th 1856, it is made my duty to instruct you to commence suits in the District Court of Travis County in behalf of the State against Cummins & Deagan and James S. Boucher the Commissioners for the building of the Capitol, and James Deegan the Superintendent for the building of said Capitol, since it appears from the written opinions, now submitted to me, that you, under the provisions of said Joint Resolution, that the State has a legal and equitable and pecuniary accounts of their action under their said appointments.

Very respectfully
E M Pease

Executive Office
Austin, Texas, 26th Sep. 1857.

Sir:

I have the honor to acknowledge the receipt of your letter of the 24th Ult. enclosing a sketch of a bill for raising and organizing a Regiment of Mounted Texas Volunteers.

It occurs to me, that the provision in the last section, declaring that "under no circumstances shall an mules be allowed for forage not drawn" had better be left out. No mules whatever should ever be allowed for forage etc. The government has enough to do, and, in fact, if the government finds it necessary to do so, justice would require that the soldier who provides his own horse, should receive the commutation as a compensation for the injury his horse suffers in not being supplied with proper forage.

I will call my copy of the bill to the different persons composing our delegation in Congress, and solicit their co-operation in endeavoring to obtain its passage into a law at the ensuing Session. I fear we shall be hurried in the present session, owing to the receipt of your letter, at an earlier day.

Very respectfully
your obt. Svt.
Ed Pease

To-
Gen. Albert Sidney Johnston
Comdg. Texas Frontier
Camp Cooper, Texas.

Executive Office
Austin, Texas, 3rd Nov. 1857.

Hon: Guy M. Bryan &
John H. Reagan
Agents.

Some correspondence has taken place between this Office and Brt. Maj. Gen. Twiggs commanding this Department, in regard to the inadequacy of the force he now has, to give protection to our extended frontier, against the depredations of the numerous bands of Indians who are scattered along our northern and Western borders.

I enclose herewith copies of the letters received from Genl. Twiggs, together with a copy of the draft of a bill for raising a Regiment of mounted Volunteers from this State.

You will perceive that Gen. Twiggs has asked for an increase of troops, and in case none can be sent here from other departments, he is desirous of having this Volunteer Regiment of our citizens for one or two years.

The only alterations I would suggest in the bill, are, that there should be two majors, as that number is allowed to each Regiment in the regular army. — That the term of service should be changed from one to two years, and that all after the word "Month" in the third line of the last section be stricken out.

Within the last few months, the mail train from San Antonio to El Paso was attacked and robbed of many of its animals, and I have now before me a communication just received from a large number of citizens residing on the rivers of the Concho and upper Colorado Rivers, stating that the Indians have recently made a second incursion into those settlements and stolen and carried off near three hundred horses: These aggressions show conclusively that the force now assigned to our frontier is inadequate to its protection and that there is a pressing necessity for this Regiment.

Allow me to be sure that our citizens have long been desirous of having such a Regiment, for our defence, and the present state of the frontier

opportunity for securing it, since I am assured that Mr. Knapp & Briggs will co-operate with you, in urging the measure upon the attention of Congress.

Very respectfully
your obt. Servt.
E M Rose

Comptroller's Office
Boston, 6th Nov 1857.

Gentlemen of the Senate
and House of Representatives

I transmit herewith, the reports of James C. Wilson the former Commissioner of Claims and Joel H. Allingworth the present incumbent of that office.

Mr. Allingworth was appointed, during the recess of the legislature, to fill the vacancy occasioned by the resignation of Mr. Wilson, and under the law organizing the office, his appointment will expire at the end of ten days from the commencement of your present session; so that after Friday next the 13th inst. the business of the office will be suspended, unless the legislature shall previously elect a Commissioner?

This office, if it is continued, will relieve the legislature of a class of business that has heretofore occupied at least one fourth of its time.

It is known to most of those who have served in the legislature at previous sessions, that much of its time has been occupied in the investigation of private land claims, and unauthorized money claims against the Republic, which since the Mandamus Office was abolished, have also devolved on the legislature; the evidence in regard to such claims has been taken by committees, at such hours as could be spared after attendance upon the daily sessions, and necessarily had to be done hastily; it has usually consisted of ex-parte evidence, prepared by interested persons, which has been often deceptive and generally very unsatisfactory.

This office, now receives all claims for land

and money against the State, with the evidence offered in support of them, take down in writing the testimony of all witnesses that appear in person, and issue commissions, to take the evidence of such as do not appear in person, in answer to interrogatories, so framed as to elicit every fact, within the knowledge of the witness, that is deemed necessary to determine the merits of the claim. The evidence thus taken, is then carefully examined in connection with the laws that have any bearing upon the claim, and an opinion formed, which is reported to the Legislature for its action. In this way, every claim is more closely scrutinized than it could possibly be by a committee of the Legislature, in the limited time their other duties make them to give to such matters.

This has been the practice of the office in regard to all land claims presented, though the provisions of the law gave to the Commissioner the power to issue original headright certificates in all cases where the applicant appeared in person with his witnesses and made the same proof as was formerly required before the County Boards of Land Commissioners.

The first Commissioner declined to exercise this power, because, between five and six hundred applications for such certificates were presented, from persons, a large portion of whom he felt morally certain were not entitled to receive them, though none could decide under the proof the law required, and all would have done so, had he not announced his determination to refer the whole to the Legislature.

The reasons for his action are fully set forth in his report, and they have influenced his successor to pursue a similar practice. The reasons presented by both of these officers in regards to this description of claims, are accepted as, after a consultation with his Executive and with his full approbation.

It will be seen from the report of the first Commissioner, that he recommends a change in the law so as to take away the power to issue original headright certificates, in this recommendation I cordially concur.

For the most laborious duty that devolves on this office, is the registration of bounty and donation warrants and headright certificates of the second, third, fourth class, and their respective classes, [illegible] regular [illegible]

apparent to any one at all conversant with the situation of these classes of land claims - upwards of 17,000 County and donation warrants have been issued, of which, less than seven thousand have been surveyed and returned to the General Land Office. The destruction of the Adjutant General's Office has left us without any record of the names of the persons to whom these warrants were issued, or the quantity of land they call for, and it is only by preserving this system of registration, that we can ever supply the loss of that record. Without such a record we have no means of detecting repeated applications for warrants in cases where they have already been issued.

It is equally necessary to continue the practice of requiring an examination and approval of these warrants and of headright certificates of the second, third and fourth class, before they are patented, if we intend to do anything to prevent our public domain from being absorbed by forged and pretended warrants and certificates, of which an immense number are now in circulation and others are being daily manufactured.

The large mass of honest claimants will be subjected to little, if any inconvenience, by the operation now proposed, while those claims which are forged or pretended will meet certainly the attempt.

Some modifications in the law governing this office, are suggested in these reports, whereby applicants will be greatly facilitated in making their proofs, without any detriment to the public interests; and it is believed that a conference with the Commissioner and a personal examination into the mode in which the business of the office is conducted, will enable a committee to suggest such other modifications in the law governing the office as will secure the reasonable objects that have been made to the system.

Upon such facts accompanying these reports, both as to such land claims as, in the opinion of these officers, ought to be granted; all the evidence in regard to them is on file in the office, subject to the inspection of the Legislature; you will also find lists of such claims for scrip as have been rejected, and respective applications for scrip

fragments, together with lists of all claims docketed, which they were unwilling to pass or recommend to the favorable consideration of the Legislature.

These reports contain a large amount of information in regard to the operations of the office, and are worthy of a careful examination.

E M Pease

Executive Office
Austin Nov. 6th 1857.

To the Hon
The Senate and House
of Representatives:

I transmit herewith the report of the Secretary of State in regard to the operations of his Office for the past two years; you will find in this report many suggestions worthy of consideration.

E M Pease

Executive Office
Austin Nov. 6th 1857.

To the Hon:
The President of the Senate:

I transmit herewith a list of appointments that have been made to the office of Notary Public since the last adjournment of the Senate, and previous to the commencement of your present session; they are now respectfully submitted to you for confirmation.

I also transmit herewith a nomination for a Pilot Commissioner of the Portofolorados, which was made during the recess, and is now submitted to you for confirmation.

For the Office of Notary Public.

Travis County, Charles C. Williams, Vice A. Kellum, resigned.
" " F. J. Coombs, " Chas C. Williams, dec'd.
Galveston " George Pillow, " Sol. Pennoyer, resigned.
Bexar " W. C. Dillman, " R. Dillman, resigned.

Brazoria Co.	E. D. Nash	Vice E. H. Cushing,	resigned
" "	Jarvis Pockrill	" Peter McGreal,	"
Brazos "	Elijah J. Chance	" J. W. Norris,	
" "	William H. Murray	" R. Shannate,	resigned
" "	Andrew J. Broddus	Original Appointment	
Bell "	John Isbell	" H. C. Bradford,	resigned
" "	E. Walker	" L. Price,	left the Co
Bennet "	Thomas Moore	Original Appt.	
Caldwell "	C. W. Whitis	" C. W. White,	confirmed thro. mistake
" "	Nathan Sidvan	" J. G. L. McGehee,	resigned
Calhoun "	Henry Earle	" J. H. Sandus,	"
" "	Thomas H. Forrester	" L. L. Haven,	"
Cameron "	Jeremiah Galvan	" R. H. Fry,	elected Co. Clerk
" "	Joseph Klielur	" John Lupay,	deceased
" "	Benjamin Mozes	Reappointed	
Cherokee "	F. W. Bonner	" A. T. Shandd,	resigned
Comal "	Henry W. Merrill	" N. B. Rector,	left the Co
Cooke "	George Y. Bird	Original Appt.	
Coryell "	J. C. Russell	" S. P. Clymer,	
Fannin "	Abraham W. Clellan	" A. McLellan,	conf.d by mistake
Fort Bend "	Chas. C. Kendall	Original Appt.	
" "	M. J. Mayes	"	"
" "	Patrick Perry	" F. J. VanPelt,	deceased.
Freestone "	John A. Formwalt	Original Appt.	
Gonzales "	Stephen Chmault	" A. F. Chmault,	resigned
Grayson "	Thos. H. Bowen	" F. B. Savage,	"
Grimes "	B. R. Goodrich	Reappointed	
" "	Gryn Morrison	do	
Harris "	J. A. Baron	" R. J. Franch,	ref.d to qual.
" "	Charles E. Jordon	" J. A. Baron,	appt. Dis. Clk.
Hames "	Milton Dana	Original appt.	
Hays "	Thomas Smith	" J. J. Goodman,	time expired
" "	Lemuel F. Dubois	" Wm. G. Wood,	resigned
Liberty "	Christopher Morgan	" W. H. Cannon,	left the state
Limestone "	N. Gilbert	Original appt.	
" "	J. B. Vallandingham	" R. R. Kenny,	deceased
Lampasas "	Benoni E. Whitaker	Original appt.	
Llano "	James Doughtey	"	"
Live Oak "	N. Jossett	"	"
Milam "	Ambrose H. Boles	"	"
McLennan "	George W. Cook	" J. C. Alexander,	time expired
Nacogdoches "	Washington Atkinson	" G. W. Atkinson,	conf.d by mistake
" "	Wm. R. Anderson	" W. G. Atkinson,	ref.d to qualify
Newton "	David McMahan	" J. S. Irvine,	elected Sup. Ct
" "	T. S. McFarland	Reappointment	

Nueces County	Chas. Lounsbury	Vice H. A. Maltby, resigned.
Panola "	Henderson Fyke.	" H. Cornelius, who refd to qualify.
" "	Alexander Bideong.	Re-appointment.
Red River "	John A. Fagby.	" J. A. Cummins, left the County.
Refugio "	Richard T. Bayne.	Original appointment.
San Patricio "	P. S. Fagy.	" "
Smith "	Willis Jones.	" Sam Rogers, refusd to qualify
" "	John W. Douglas	" Wm E. Bond, " " "
Travis "	Thomas C. Smeed	" Joseph Lee, resigned.
Tarrant "	Edwd Hornsbamp	" A. J. Walker.
" "	A. J. Walker	" A. J. Fairly.
Upshur "	William P. Bell	" J. C. Collins.
Washington "	Thomas R. Haynes	" J. M. Hardman, resigned
" "	H. Woodwards	" F. J. Cottel "
Williamson "	Thomas P. Hughes	" A. J. Strickland, deceased.
" "	Samuel Mather	Original appt.
" "	J. J. Tidds	" "
" "	Andrew Jordan	" "

For the Office of Commissioner of Pilots.

Port of Galveston. James Morley, vice Geo. Graycroft deceased

E M Pease

Executive Office
Austin 6th Nov. 1857.

To the Sen:
The President of the Senate.
The following nominations have been made to the Office of Notary Public, since the commencement of your present Session, to which your advice and consent is respectfully asked, viz.
William H. Kennedy, for San Patricio County.
Abraham Nesmith, for Gillespie County.
E M Pease

Executive Office
Austin, 9th Nov. 1857.

Gentlemen of the Senate, and
House of Representatives:

I have received herewith, the report of two of the Commissioners appointed to investigate and report the facts, in relation to the illegal issue of certificates of land, by the County Courts, within the limits of Peters Colony.

These courts were authorized under the provisions of "An Act relating to lands in Peters Colony," approved 10th February 1852, to issue certificates of 640 acres to heads of families, and 320 acres to single men, who settled within the limits of said Colony, prior to the first day of July 1848, and resided therein for three years, provided they had not previously obtained a certificate from the Colony Commissioner, nor a headright from the Republic or State of Texas.

Before such a certificate could issue, each colonist was required to prove his settlement and residence, as above stated, before some County Court in said Colony, by his own oath, and the oath of two other reputable witnesses, and also by his own oath, that he had not received a certificate from the Colony Commissioner, nor a headright from the Republic or State.

The Commissioners report, that they have examined the records of the County Courts of Grayson, Cooke and Collin Counties, and they give the names of fifty persons who received certificates of 640 acres each, one hundred and twenty-one who received certificates of 320 acres in the County first named, thirty eight who received certificates of 640 acres, and three-hundred and [illegible] certificates of 320 acres in Cooke County, and twenty-one who received certificates of 640 acres, and twenty-seven who received certificates of 320 acres in Collin County, making together 189 certificates of 640 acres, and 191 of 320 acres, equal to 121,600 acres, the most of which they believe were illegally issued to persons not entitled to them.

They also state, "that a large majority of said certificates were issued to speculators who were

"under 17 years of age on the 1st day of July 1848, — That nearly all were issued on ex-parte affidavits of persons who were not before the Court, that in many cases, the facts sworn to, would not entitle the applicant to a certificate, — That some of the affidavits were so ingeniously drawn, the phraseology so studied, that the affiant really swears to no material fact, and that the County Courts were greatly imposed upon."

These Commissioners also state, that they were unable to visit Tarrant and Parker counties, but that they are credibly informed, that a large number of illegal certificates have been issued in both of said Counties. That only one of them could visit Wise County, but from his examination, they believe that upwards of 30.000 acres of certificates have been illegally issued in that County. — They make no report in regard to the other counties in said colony.

It will be seen from the report that all, but eight of these certificates, were issued since the 1st day of July 1855, and these eight were issued since 1st of February of the same year.

It is proper that you should be informed, that as soon as it was ascertained that certificates of this character were being issued, the Commissioner of the General Land Office was advised of it, and he has since declined to issue Patents upon any Colony certificates issued by County Courts, until some action is taken by the Legislature in regard to them.

Upon a review of the facts disclosed by this report, I would suggest, the immediate passage of an Act to repeal that section of the law, that authorizes County Courts to issue colony certificates, concurrently with another Act to prohibit the Commissioner of the General Land Office from issuing a Patent upon any Colony certificates issued by a County Court since the first of February 1855, until the Legislature shall otherwise direct.

Should these recommendations meet your approbation, a commission ought to be established, before which, the holders of these certificates, may prove up their claims anew, in the manner they should have proceeded thereto before the County Court, or they should be allowed to prove them up anew before the District Court, as it is probable that some of these certificates may have been issued in favor of persons who were entitled to receive them.

Clark

The State of Texas

I, E. M. Pease, Governor of said State, do hereby certify that on the Ninth day of November Eighteen hundred and fifty-seven, the Legislature of said State elected John Hemphill, a Senator in the Congress of the United States for the term of six years from and after the Fourth day of March eighteen hundred and fifty nine.

In testimony whereof, I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin this the Tenth day of November A.D. 1857, and of the Independence of Texas, the Twenty-second year.

Seal.

By the Governor:
Edward Clark
Secretary of State.

E M Pease

The State of Texas

I, E. M. Pease, Governor of said State, do hereby certify that on the Fourth day of November eighteen hundred and fifty-seven, the Legislature of said State, elected James S. Hindman, a Senator in the Congress of the United States to fill the vacancy caused by the death of the Hon. Thomas J. Rusk, who had been previously elected for the term of six years from and after the Fourth day of March 1857.

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed, at the City of Austin, this the Tenth day of November A.D. 1857, and of the Independence of Texas, the Twenty-second year.

Seal.

By the Governor
Edward Clark
Secretary of State

E M Pease

Executive Office,
Austin Nov. 10 1857.

Genl. J. P. Henderson
Dear Sir:

Under authority granted by the Legislature, I have employed the bearer, W. James McWilliams as a special Messenger to deliver you the enclosed certificate of your election as a Senator from this State in the Congress of the United States, to fill the vacancy caused by the death of General Rusk.

It gives me great pleasure to be the medium for making this communication, and I avail myself of the occasion to tender you my sincere congratulations upon this evidence of the appreciation in which your past services are held by your fellow citizens.

With sentiments of high regard
I remain truly your friend.
E M Pease

Executive Office
Austin, Nov. 10th 1857.

Gentlemen of the Senate
and House of Representatives

I send you herewith three memorials, recently received at this office, from citizens on the waters of the Sou Sutar and Upper Colorado Rivers, which state that the Indians have lately invaded their settlements and killed one herdsman, and driven away a large number of horses. The memorialists act for protection from the Executive, but it is not in his power to do any thing for their relief without the co-operation of the Legislature.

These memorials are respectfully referred to you, with a confident hope that you will recognize in the merits of their urgent case, and devise some measure to ameliorate the protection which they ought to have.
E M Pease

Executive Office
Austin, Nov. 11th 1857.

Gentlemen of the Senate
and House of Representatives.

In the month of September last authentic information was received at the Executive Office, that a train of carts transporting merchandize from the coast to the City of San Antonio were attacked while peacably passing along the public highway, a short distance above the Town of Gilmer in Upshur County, by a body of mounted men, disguised and armed, who fired upon those engaged in driving the carts, and killed one and severely wounded three others.

Information was also received at the same time of an attack made in Goliad County about the close of July last upon another party transporting merchandize along the same road, while they were encamped at night, in which one of the teamsters was severely and two others slightly wounded.

The person who was severely wounded in Goliad County was a native of the United States, all the others wounded in both attacks and the one killed were citizens of Mexican origin.

The communication of these facts was accompanied by assurances that combinations of men had been formed, extending through several Counties, who openly threatened to continue such attacks upon citizens of Mexican origin so long as they should continue to transport merchandize along that road.

Immediately upon the receipt of this information, Proclamations were issued offering a reward of five hundred dollars, for the arrest and delivery to the Sheriff of Upshur County, of those who had committed the above named offence in that County, and also calling upon the peace officers to be vigilant in arresting and bringing the offenders to justice, and in preventing a repetition of such offences.

A few days afterwards I repaired to

San Antonio to obtain a better knowledge of the facts in relation to these occurrences, and the extent of the alleged combinations, and also to ascertain whether any measures had been adopted to secure the arrest of the offenders or to prevent such occurrences for the future; while these conferences were had with a large number of citizens of Bexar and the adjacent counties in regard to these attacks, and the state of feeling that had led to them.

The result of these conferences satisfied me, that no measures had been, or would probably be taken, either to arrest the plunderers or to prevent similar attacks. That combinations of the kind above referred to, did actually exist, which had made repeated assaults upon the persons and property of citizens of Mexican origin travelling on that road, that a strong feeling of hostility prevailed in many of the surrounding counties against all citizens of Mexican origin, and that there was imminent danger of retaliatory attacks from them, which if once commenced must inevitably lead to a civil war of races. Under these circumstances I felt that it was my duty to take prompt measures, to preserve the peace until time could be given, for the excitement caused by these occurrences, to cool down, and until a more favorable opportunity to meet such bands as would prevent similar outrages. I therefore called such a company of Mexicans, consisting of seventy-eight men, officers and privates, and stationed them in different divisions along that road, with orders to give protection to all traders or merchandise passing up or down, and to aid the civil authorities in preserving the peace, if called on for that purpose.

It would be useless to repeat the causes assigned by these parties as their excuse for their attacks, because they are exaggerated, groundless, having no sufficient evidence of facts and grounds for their aforementioned belief, there never could be any justification for violence or forbearance to the peace upon the present made pretexts of a civil war of whites.

[illegible]

a few of our citizens, but the large mass of them are as orderly and law abiding as any in the state, they submit cheerfully to all the duties required of them, and are entitled to the protection of the laws in any lawful employment they may choose to pursue.

Such occurrences as these are calculated to injure our reputation abroad, and to destroy all confidence in the ability of our State to give protection to life and property if they are allowed to be repeated with impunity they will ultimately suspend all intercourse between this Country and Mexico and will inevitably lead to acts of retaliation upon Citizens of the United States in that Country, indeed they have already attracted the notice of the Government of Mexico, and have been made the subject of a remonstrance through her Minister at Washington City, which has been communicated to this office.

Our present laws are fully adequate for the protection of persons and property and for the prevention of such occurrences, in all cases where the officers and citizens of our Country are active in the enforcement of them but where they are indifferent such as the no effort to enforce them they are powerless.

These cases should be decided for their intrinsic merits, and the only one that comes to me, in which all the engage in the combination, or aid or assist in such assaults, by inciting or encouraging the attack. I refer here and hope a pardon for the proposed pardon of Wilson and Smith of Bear Creek the former of whom has been heretofore convicted and sentenced for the murder of a negro.

The conduct of Shields before mentioned, once was tried for eight days in Texas discharged, I have been asked opinions about the propriety of a pardon. They unfortunately with the expectation that they would receive the same pay as a corporal, as promised them in the service of the United States, be induced unauthorized by Commandant of the Texas to perform services with confidence and perseverance in behalf of the State.

The Treasurer is now authorized to pay certain

vations, with a desire that you will give it a careful investigation, and with a full confidence that you will make provision for the payment of the company under the contractor who has supplied them.

E M Pease

Executive Office
Austin, Nov. 11. 1857.

Gentlemen of the Senate
and House of Representatives.

I have the honor to transmit herewith the report of the Commissioner of the General Land Office, concerning the transaction of his office for the past two years, which was received one yesterday.

E M Pease

Executive Office
Austin, Nov. 16. 1857.

To the Hon.
the Senate of the State of Texas

The following appointments have been made to the Office of Notary Public, since the commencement of your seventh session, to which your advice and consent is respectfully asked.

For Smith County,
Robert Brookshires, in place of Thos.
Armstrong resigned.

For Fayette County,
George W. Barnett in place of J.
Hudnell whose term has expired.

For Travis County,
John W. Spencer in place of [illegible]
Samuel F. Smith.

For Grayson County,
[illegible]

For Orange County.
Hugh Archibald, an original appointment
For Jefferson County.
Charles St. Alexander, an original appointment,
For Tarrant County.
John J. Carter, in place of
C. Mour Ramsey.
James Soper, in place of J. G. Walker resigned.
Jefferson Cable, an original appointment.
Jonas Harrison, an original appointment,
For McLennan County.
M. D. Nichols, in place of S. J. Crum resigned.

Gil Rusk

Comptroller's Office
Austin 23rd Nov. 1849.

I have received instructions to inform the inspectors of merchandise must be executed by Order of Congress in the Treasury Department.

You will keep the article in such portions as your Congressional District may consider necessary for protection against the Indians, of such family or family upon the frontier or the vicinity of Fronteras Cavalry, the line and the adjoining Counties, as will best enable them to give protection to the inhabitants against the incursions of hostile Indians.

The object in raising your Company being mainly for defensive operations, it is not expected that you will make any distant expeditions against Indians, and if it may become necessary to pursue any of the hostile parties of the who have committed depredations upon our citizens

You will, in no event, interfere with the Indians who are settled on the Government Reservation, nor with any of those belonging to the Reservation, that you may meet with off the Reservation, unless you find them actually committing depredations upon the settlers, or under such cir-

- cumstances as shall leave no doubt that they have been actually committing acts of hostility against our citizens.

You will exercise extreme caution so as not to give offence to any friendly tribes, as such a course of proceeding will be certain to increase the dangers to which our settlements are now exposed.

It is not intended that you shall keep the whole or any part of your company in active service, any longer at one time, than there shall be an actual necessity for them, but that you shall from time to time keep only such number actively employed, as will give security and confidence to the settlements you are designed to protect, so as to make the three months of service extend over as long a period of time as possible.

You will keep an accurate account of the number of days that each officer and private is actually employed, and make a return of the same to this Office, under oath, to serve as a guide in paying them for their services.

You will make regular reports of all the operations of the men under your Command, to this office, as often as once in two weeks, which reports you will transmit through the Post Office Department to you.

Should any of your company fail to furnish himself in accordance with the requisitions contained in the instructions to the enrolling officer, or pass in his duties under your Command, it will be deemed a sufficient cause for withholding his pay, and you will report all such cases without delay.

C. C. Rose

Executive Office.
Austin 25th Nov. 1857.

To John H. Conner Esq.
Sir,

You are hereby authorized to enroll a company of Thirty mounted men in the Counties of Brown and Callahan to serve for three months for the protection of the settlements in those Counties against the incursions of hostile Indians. Each man will furnish himself with a good rifle or double barrel shot gun and one or more pistols, with a sufficient quantity of ammunition, a good horse and saddle and bridle. When the company shall have been enrolled you will cause an election to be held for one Lieutenant to command the Company, and one Sergeant and one Corporal, and make out duplicate rosters, one of which you will deliver to the Lieutenant, and the other you will forward as early as convenient to this Office.

The officers and men respectively will be paid by the State, while in actual service, at the same rate as mounted Volunteers were paid by the United States during the Mexican War.

They will provide themselves with subsistence and forage, and will be allowed therefor in accordance with the commutation fixed by the rules of the United States service.

When the company shall have been organized, you will deliver to the Lieutenant, the accompanying letter of instructions for his government, and also a copy of this letter to yourself. Each officer and private will also be allowed pay for all transportation necessarily used in service, on the certificate of the Lieutenant.

E M Pease

Ranger Office
Austin, 23rd Nov. 1857.

To the
Lieutenant who may be elected to command the Company of Mounted Men authorized to be enrolled by Thomas H. Cavanaugh in the Counties of Erath and Palo Pinto.

Sir:

You will keep the whole or such portion of your Company, as you may consider necessary, on active service, at such point or points upon the frontier, in the vicinity of Erath, Palo Pinto and the adjacent counties, as will best enable them to give protection to the inhabitants against the incursions of hostile Indians. The object in raising your Company, being mainly for defensive operations, it is not expected that you will make any distant expeditions against Indians, unless it may become necessary to follow up hostile parties of them, who have committed depredations upon our citizens.

You will in no event interfere with the Indians who are settled on the Government Reservations nor with any of those belonging to the Reservations, that you may meet with off the Reservations unless you find them actually committing depredations upon the settlers, or under such circumstances as shall leave no doubt, that they have been committing acts of hostility against our citizens.

You will exercise extreme caution so as not to give offence to any friendly tribes, as such a course of proceeding will be certain to overcome the dangers to which our settlements are now exposed.

It is not intended that you shall keep the whole or any part of your Company on active service, any longer at one time than there shall be an urgent necessity for them, but that you shall from time to time keep only such as may actually be employed, as will give a sufficient and competent force to the settlements, you have mentioned to protect, so as to avoid the expense of service and keep up a large force in time of peace.

You will keep an accurate account of the number of days that each officer and private is actually employed and make a return of the same under oath to this Office, to serve as a guide in paying them for their services.

You will make regular reports of the all operations of the men under your Command, to this Office, as often as once in two weeks, which reports you will transmit through the Post Office nearest to you.

Should any of your Company fail to furnish himself in accordance with the requirements contained in the instructions to the enrolling officers or fail in his duty under your Command, it will be deemed a sufficient cause for withholding his pay, and you will report all such cases without delay.

E M Pease

Executive Office
Chicago 23rd Nov. 1864

To Thomas H. Cragwell Esq
Sir.

You are hereby authorized to raise a company of hundred mounted men in the Counties of Crawford & Vernon, to serve for three months, for the protection of the settlements in said Counties, against the incursions of rebel Indians. Each man will furnish himself with a good rifle or double barrel shot-gun and one or more pistols, with a sufficient quantity of ammunition, a good horse, saddle and bridle. When the Company shall have been accepted, you will cause an election to be held, for one Lieutenant to Command the Company, and one Sergeant, and one Corporal, and make out duplicate Muster Rolls, one of which you will deliver to the Lieutenant, and the other you will forward as early as convenient to this Office.

The Officers and Men respectively, will be paid by the State, while in actual service at the same rate as mounted Volunteers were paid by the

United States during the Mexican war. They will furnish themselves with subsistence and forage, and will be allowed therefor in accordance with the commutation fixed by the rules of the United States service.

When the company shall have been organized, you will deliver to the Lieutenant the accompanying letter of instructions for his Government and also a copy of this letter to yourself. Each officer and private will also be allowed pay for all ammunition necessarily used in service, on the certificate of the Lieutenant.

E M Pease

Executive Office
Austin 23rd Nov. 1857.

To the Lieutenant, who may be elected to Command the Company of Mounted Men to be enrolled by Neill Robison in the Settlements of the upper Blanco and Guadalupe Rivers.

Sir:

You will keep the whole or such portion of your Company, as you may consider necessary, in active service, at such point or points upon the frontier on the waters of the upper Blanco and Guadalupe Rivers, as will enable them to give protection to the inhabitants against the incursions of hostile Indians.

The object in raising your Company, being mainly for defensive operations, it is not expected that you will undertake any distant expeditions against Indians, unless it may become necessary to follow up hostile parties of them, who have committed depredations upon our citizens.

You will, in no event, interfere with the Indians who are settled on the Government reservation nor with any Indians belonging to the Reservation.

[illegible] unless upon final thorough ascertaining that [illegible] declared upon the settlers, or [illegible] as will have no doubt, that they have [illegible] in committing acts of hostility against our citizens.

You will exercise [illegible]

to give offence to any friendly tribes, as such a course of proceeding will be certain to increase the dangers to which our settlements are now exposed.

It is not intended that you shall keep the whole or any part of your company, in active service any longer at one time, than there shall be an actual necessity for them, but that you shall from time to time keep only such number actually employed, as will give security and confidence to the settlements you are designed to protect so as to make the three months of services extend over as long a period of time as possible.

You will keep an accurate account of the number of days that each officer and private is actually employed and make a return of the same under oath to this office, to serve as a guide in paying them for their services.

You will make regular reports of all the operations of the men under your command, to this Office as offences are committed which reports you will transmit through the Post Office address to you.

Should any of your company fail to furnish himself in accordance with the requirements contained in the instructions to the enrolling Officer, or be found during under your command it will be deemed a sufficient cause for withholding his pay, and you will report all such cases without delay.

A M Rose

Executive Office
Austin 23. Nov. 1857.

To Neill Robison Esq.

Sir:

You are hereby authorized to enroll a Company of Twenty mounted men in the settlements on the waters of the upper Blanco and Guadalupe rivers, to serve for three months for the protection of said settlements against the incursions of hostile Indians. Each man will furnish himself with a good rifle or double barrel shot-gun and one or more pistols, with a sufficient quantity of ammunition, a good horse, saddle and bridle.

When the Company shall have been enrolled, you will cause an election to be held for one Lieutenant to command the Company and one Sergeant and one Corporal, and make out duplicate muster Rolls, one of which you will deliver to the Lieutenant, and the other you will forward as early as convenient to this office.

The officers and men respectively, will be paid by the State, while in actual service, at the same rate as mounted Volunteers were paid by the United States during the Mexican War.

They will furnish themselves with subsistence and forage, and will be allowed therefor in accordance with the commutation fixed by the rules of the United States service.

When the Company shall have been organized, you will deliver to the Lieutenant, the accompanying letter of instructions for his government, and also a copy of this letter to your self. Such Officers and Privates will also be allowed pay for all commissariat necessarily used in service, on the certificate of the Lieutenant.

E M Pease

Executive Office
Olympia, Nov. 24th 1857.

Gentlemen of the Senate
and House of Representatives

I have the honor to transmit herewith, for your information, the reports of the State Treasurer for the years 1856 and 1857, and also the reports of the State Treasurer as Ex-Officio Superintendent of Schools for the years 1855 and 1856.

C. H. Mason

Executive Office
Olympia, Nov. 25. 1857.

Gentlemen of the Senate
and House of Representatives

It is melancholy intelligence that I have received in this City, of the death of Lieut. James Hamilton, who was lost on the steamer Columbia on the Sixth, on her passage from Vancouver to Columbia.

The deceased was one of the first white men to make his home at the commencement of our territorial existence, and his earnest and manly efforts were ever found to be exerted, both before and after he became a citizen of the Republic. His high standing and influence in the Pacific, contributed much to the peaceful issue of our Revolution.

Twice elevated here as a citizen, and twice rejected as one of her greatest benefactors, he pronounced his unfavorable fate, and still carry cherished his memory with unmeasured.

C. H. Mason

The State of Texas

Whereas, it has been made known to me, that the United States have purchased from the City of San Antonio as a site for an Arsenal and Barracks, a certain tract or parcel of land situated in Bexar County in said State, described as follows, viz: Lot or survey number thirty-eight (38) in Range one (1) District two (2) in the plan and within the former limits of the City of San Antonio, at the head of the San Antonio river, beginning at the north west corner of survey number thirty-seven (37) on the northeast bank of the Olmos creek, thence east six hundred and fifty-two (652) varas to a spring, thence same course two hundred and eleven (211) varas to the northeast line of the City grant, thence north twenty-seven and one eighth (27⅛) degrees west four hundred and seventy (470) varas, thence north fifty-three and one eighth (53⅛) degrees west with the line of said City grant eleven hundred (1100) varas, thence south five hundred and seventy (570) varas to the Olmos creek, thence down the centre of the Olmos creek, with its meanders, to the place of beginning, containing one hundred and fourteen (114) acres more or less,

Now therefore, the United States by their agent J. McHatch have made application to me in writing accompanied by a certified copy under the hands and official seals of the Clerks of the County Court of Bexar County, of a deed from the City of San Antonio to the United States for said tract of land, which is hereinbefore described by metes and bounds as above set forth, for a cession to the United States of exclusive jurisdiction over said tract of land to be used as a site for an Arsenal and Barracks.

Now, therefore, I, Ashbel Smith, Governor of said State, by virtue of the authority vested in me under the provisions of "An act for ceding to the United States jurisdiction over certain lands in this State for public purposes," approved February 12, 1856, do hereby in the name and on behalf of said State cede to the United States exclusive jurisdiction over the said tract of land [illegible]

use, occupy, own, possess and exercise said jurisdiction over the same as a site for an Arsenal and Barracks. Provided always, that this cession is granted and made as aforesaid upon the express condition that this State shall retain a concurrent jurisdiction with the United States, in and over the limits so ceded and every portion thereof, so far, that all process, civil or criminal, issuing under the authority of this State, or any of the Courts or judicial Officers thereof, may be executed by the proper Officers, upon any person or persons amenable to the same within the limits and extent of the lands so ceded, in like manner and to like effect as if this Act had never been executed, saving however to the United States security for their property within said limits and exemption of the same and of said lands from any taxation, under the authority of this State, which the same shall continue to be owned held, used and occupied by the United States as a site for an Arsenal and Barracks and not otherwise.

In testimony whereof I have hereunto signed my name and caused the Great Seal of the State to be affixed, at the City of Austin, this the twenty-seventh day of November A.D. 1857 and in the year of the Independence of the United States, the 82nd and of Texas, the 22nd.

Seal.

By the Governor
Edward Clark
Secretary of State

Ellis

Executive Office
Austin, Nov. 30. 1857.

Gentlemen of the Senate
and House of Representatives

Information has been received at this Office, that a train of Carts, from San Antonio to the Coast, driven by Mexicans, and under the charge of Mr. Wm Pyron, an American, encamped on the night of the 20. inst. on a creek, the next morning while the Mexicans were getting up their team, they were assaulted and fired upon by a party of armed men, and two of them were killed.

No blame whatever attaches to Capt. Nelson or the Company under his command, as Mr Pyron did not apply to them for an escort, it is understood that he preferred to go without an escort, in consequence of assurances of safety that had been given him by parties in Karnes and Goliad Counties, he having previously made a trip without molestation.

After this misfortune Mr Pyron returned to the Colorado, where Capt Nelson's Company were encamped, and applied for and received an escort for his train.

It is painful to have to record such acts of violence, and a subject of deep mortification that the law-places no ready and easy power to prevent them. Such outrages cannot occur and go unpunished in a Country where the Officers and the most of the people entertain a proper respect for the laws, and it becomes a matter for graver consideration, whether the citizens of a Country that permits such acts to be done with comparative security, should not be compelled to pay a heavy pecuniary penalty, that would, without doubt, induce them to the necessity of preserving the public peace.

It is now very evident that there is no security for the lives of citizens of Mexican origin, engaged in the business of transporting along the road from Matamoras to the Rio Grande, they are considered by a Mexican party. [illegible]

will expire on the 4th day of December, and unless some direction is received from the Legislature to continue their services, I shall feel it my duty to discharge them on that day.

It will require an appropriation of about fourteen thousand and five hundred dollars to pay the services of the Company, and for their subsistence and forage.

E M Pease

Engineer's Office
Sacramento, Japan, May 11th 1857.

To His Excellency
R. C. Wickliffe
Governor of the State of California

Sir

I have the honor to acknowledge the receipt of a letter from your Secretary under date of the 24th April 1857, inclosing a copy of an act passed by the Legislature of your State making a conditional appropriation for the improvement of the Salmon River, and requesting to know whether this State has made a corresponding appropriation for the same object.

In reply, I have to inform you that an act was passed by our last Legislature, making appropriations for the improvement of the navigation of the Rivers of the State which will be found in pages 13 to 14 of the Volume of general laws passed at the adjourned session of the 6th Legislature, on pages 46 to 48 of the same volume will be found an act amending and supplementary to said act. I send you the volume by the same mail that takes this.

The examination of these acts will show that the State appropriation was to be applied to the Rivers, in proportion to the amount that might be subscribed by individuals, the State paying four dollars for each dollar subscribed by individuals.

Under the provisions of these acts, the Governor, State Engineer and Comptroller met on the 3d of Feby 1857, and made an apportionment of the State

appropriation, by which the sum of $41.164.29/100 of the State appropriation was set a part to be expended for the improvement of the Sabine River.

I send you enclosed, a copy of the report of these Officers, showing their action under said act.

I am advised by the State Engineer that he will, in the course of a month, commence a survey of the Sabine River, and will determine how this fund shall be expended on the River, after which, he will receive proposals and make contracts, so that the improvements upon that River will be commenced in the course of two or three months, and will be prosecuted until the sum of $41.164.29/100 appropriated by the State, and $10.291.25/100 subscribed by individuals shall have been expended.

Very respectfully
your Obt Servt
E M Pease

Executive Office
Austin, Texas, 23d June 1857.

Sir:

I have the honor to acknowledge the receipt of your letter of the 13th instant, in which you state that, "upon request my attention to an outrage of a flagrant character, which has been committed upon the person of a British subject named Charles Thomas, a young lady of color, and a native of the Islands of St Thomas.

"You allow with the papers that accompanied it, have been referred to the Attorney General of the State, for his opinion, "what action, if any, it is in my right or duty to take, as Governor in relation to this matter." I enclose you a copy of his opinion, in which he states, that this is not a case in which I am authorized by the Constitution and laws to interfere in any manner and that the Courts of this State are open for the redress of any wrongs that may have been inflicted upon the said Thomas.

After an examination of the evidence referred to, which as you will see, is not so

accompanying papers. I have come to the same conclusion expressed in the opinion of the Attorney General.

Very respectfully
Your Obt. Servt.
Ed Rose

Arthur T. Lynn
H.B.M. Consul
at Galveston.

Treasury Office
Austin 2nd Dec. 1857.

To the Honorable
the Senate
and House of Representatives.

I respectfully, as communication from the Comptroller from which it will be seen that there is a necessity for constituting one of the United States bonds as the Treasury note could, at an earlier period than can be done under the laws now in force. This must be attended to immediately in a December with the interest coming to meet the current demands upon the Treasury for revenue. It is very important that in the present condition of the foreign market, we may have to suffer a slight rise on these bonds in converting them into specie at the place indicated of obtaining a purchaser as heretofore.

The suggestions are commended to your consideration with a recommendation that you immediately grant him authority to negotiate not exceeding one hundred thousand dollars of said bonds, for specie deliverable at the Treasury as it may be needed, on the most favorable terms he can obtain, and if necessary that he be authorized to send an agent to San Francisco for that purpose.

Ed Rose

Executive Office
Austin, 3rd Dec. 1857.

Gentlemen of the Senate
and House of Representatives

I have the honor to transmit herewith the report of the State Engineer, giving a full detail of the operations of his Office since its organization.

I also take this occasion, to make the report required from the Governor under the provisions of the first section of "An Act to encourage the improvement of the navigation of the Rivers and other navigable waters in Texas, by making appropriations for the same," passed 1st August 1856.

The following amounts have been drawn from the fund appropriated by said Act, in favor of the several contractors and for the objects named, viz:

Drafts in favor of F. J. Powell contractor for the improvement of the Colorado River - $10.800.
" Wm. J. Phillips contractor for the Colorado River, - - - - - - - - - - - 6.600
" Brown & French contractors for the Brazos River. - - - - - - - - - 7570
" David Bradbury contractor for the San Jacinto River, - - - - - 18.180
" J. J. Rogers contractor for the Guadalupe River. - - - - - - 15.000

In regards to all these drafts, except that in favor of David Bradbury, it appears by the report of the State Engineer, that they did not exceed three fourths of the work actually performed by the contractors under their contracts, and in regard to that in favor of Bradbury, it appears by said report that his contract had been completed, the work accepted, in all these cases no more was produced showing that corresponding vouchers had been paid to the contractors by the Comptroller and Treasurer of the Coal and Iron Fund.

Elkhouse

Executive Office
Topeka, 3rd Dec. 1857.

To the Honorable
the Senate
and House of Representatives

I transmit herewith the Biennial report of the Comptroller of Public Accounts for 1856 and 1857.

Ed Rose

Executive Office
Topeka, 4 Dec. 1857.

To the Hon. the Senate of
the State of Kansas:

I submit for confirmation the names of Summer C. Rogers as a Elector at the mouth of the Kaw River, who was appointed during the recess of the Senate before your last session, which appointment was overlooked when the others made during the recess were sent in for confirmation.

The position in appointment to the office of Secretary of Public Lands has been made since the recess of your last session to which your advice and consent is respectfully asked.

Ed. Rose

Clay County. Wm. A. McCullough, an original appointment.

Kansas County. G. M. Ziegler, in place of Wilsey, resigned declining acting.

Andrew County. G. W. Fanton in place of G. W. Cochran resigned.

Jones County. R. S. Kenney in place of T. H. Hanson, failed to qualify

Gillespie County. G. W. Todd, an original appointment.

Ed Rose

Executive Office
Austin, 4. Decr. 1857.

Gentlemen of the Senate
and House of Representatives.

I transmit herewith for your information the annual report of the Superintendent of the Lunatic Asylum, which will be found to contain much information in regard to the number of Idiots and Lunatics in the State, and their condition.

E M Pease

To all to whom these presents shall come — Greeting.

Know ye: That reposing special trust and confidence in the Integrity, Diligence and Discretion of Fred Taylor Jenkins Esq. I do hereby appoint him "Weigher of Cotton for the Port of Jefferson," in the County of Cass, in said State, under the provisions of "An Act creating the office of Weigher of Cotton for certain Ports in this State," passed September 1st 1856. — And I do hereby authorize and empower him to execute and perform the duties of said office according to law, for and during the term of three years from the date hereof, and till a proper successor shall be appointed by the Governor of this State for the time being.

[illegible]

E M Pease

The State of Texas

Whereas, it has been made known to me by William Fields, the State Engineer and Superintendent of the improvements upon the Rivers and other navigable waters in Texas, that he cannot perform all the duties required of him by law as superintending the works already contracted for, unless he defers making contracts for other improvements until those contracted for are completed, which under it necessary in my opinion that some person should be appointed to superintend a portion of them.

Now, therefore, I, Edmund Jackson Davis, governor of said State, by virtue of the authority vested in me by the provisions of "An act to encourage the improvement of the navigation of the Rivers and other navigable waters in Texas," by granting appropriations for the same," passed August 1st 1870, do hereby appoint D. F. Lawson Esq. of Travis County, to superintend the work to be done upon the Colorado River, under the contract made by the State Engineer for said improvement, hereby giving and granting to the said D. F. Lawson all the rights, powers and emoluments and subjecting him to all the duties now or required of such officer under the provisions of said act.

In witness whereof I have hereunto signed my name and caused the seal of the Executive Department of the State to be affixed, this the twelfth day of December A.D. 1870, and of the Independence of Texas, the twenty-second year.

Seal

By the Governor
E. M. Pease
E. Edward Clark
Secretary of State.

Executive Office
Austin, Dec. 7th 1857.

To Thomas C. Frost Esq.
Sir;

You are hereby authorized to enroll a company of twenty mounted men, in the Counties of Coryell and Comanche to serve for three months, for the protection of the settlements in said Counties, against the incursions of hostile Indians.

Each man will furnish himself with a good rifle or double barrel shot gun, and one or more pistols, with a sufficient quantity of ammunition, a good horse, saddle and bridle. When the company shall have been enrolled you will cause an election to be held for one Lieutenant to command the Company, and one Sergeant and one Corporal, and make out duplicate muster rolls, one of which you will deliver to the Lieutenant, and the other you will forward, as early as convenient, to this office.

The officers and men respectively, will be paid by the State, while in actual service, at the same rates as mounted volunteers were paid by the United States during the Mexican War.

They will furnish themselves with subsistence and forage, and will be allowed therefor in accordance with the commutation fixed by the rules of the United States service.

When the Company shall have been organized you will deliver to the Lieutenant, the accompanying letter of instructions, for his government, and also a copy of this letter to your self. Each officer and private will also be allowed pay for all commissions necessarily actually issued on the certificates of the Lieutenant.

Ed Burleson

Executive Office
[illegible] Decr 7 1857.

To the Lieutenant who may be elected to command the Company of mounted men, authorized to be enrolled by Thomas [illegible] in the Counties of [illegible] and [illegible].

Sir:

You will keep the whole, or such portion of your Company as you may consider necessary, in active service, at such points as you may consider [illegible] in the vicinity of [illegible] and [illegible] counties and the adjoining counties as will tend to give protection to the inhabitants against the incursions of hostile Indians.

The object in raising your company being [illegible] for defence and protection, it is not expected that you will make any distant expeditions against Indians unless it may become necessary to pursue [illegible] parties of them who have committed depredations upon our citizens.

You will not interfere with the Indians who are settled on the government reservations, nor with any of those belonging to the [illegible] that you may meet with off the reservations [illegible] unless you may find them committing depredations upon the settlers, or under such circumstances as shall make it evident that they have been committing acts of hostility against our citizens.

[illegible] prisoners [illegible] as soon as possible, [illegible] until [illegible] are [illegible].

It is not expected that you will keep the whole or any part of your company on active service any longer at one time than there shall be an actual necessity for them, but that you shall [illegible] such [illegible] & [illegible] to [illegible] and [illegible] to the settlers [illegible] are designed to protect, as an [illegible]

the three months of service extend over as long a period of time as possible.

You will keep an accurate account of the number of days that each officer and private is actually employed, and make a return of the same under oath to this office, to serve as a guide in paying them for their services.

You will make regular reports of all the operations of the men under your command, to this office, as often as once in two weeks, which reports you will transmit through the Rock Office nearest to you.

Should any of your Company fail to furnish himself in accordance with the requirements contained in the instructions to the enrolling officer, or fail in his duty under your command, it will be deemed as sufficient cause for withholding his pay, and you will report all such cases without delay.

E. W. Rose

Executive Office
Columbus Oct. 7. 1857.

Gentlemen of the Senate
and House of Representatives.

I have just received the resignation of Hon: A. McIlvaine as Member of the 29th Judicial, composed of the Counties of Brown, Clermont, Clinton and Hamilton.

Having to the uncertainty and delay attending the transmission of letters by mail, at this season of the year, some thirty-five or forty days would elapse before an election can be held and the person elected can receive his certificate, and negotiate at least twenty-five days to hold the election and then and record the returns, and give the requisite notice the order for the election should have been received by the accounting Auditor. I deem it therefore necessary to recommend the passage of a law, directing the election to be held within [illegible] days after the date of the proclamation [illegible]

to be made to the Chief Justice thereof, and eight days after the election, for the return of the different Boxes to be made to the Chief Justice of Matagorda County, who is the officer authorized to receive the returns and give the certificate of election for the District. The same law might authorize the order of election to be sent by special messenger. If this were done, the vacancy might be filled in about twenty days

E M Pease

The State of Texas

Whereas, at a District Court held in and for the County of Bell in said State, at its Spring Term, in the year 1856, one Richard Wright was tried and convicted of Murder in the second degree, and was sentenced therefor, to be confined at hard labor in the State Penitentiary for the term of three years, where he has now been in confinement since soon after his sentence, and whereas, circumstances in relation to his offence have been made known to me, which somewhat extenuate his offence and induced me to believe that he has already been sufficiently punished.

Now, therefore, I, E. M. Pease Governor of said State by virtue of the authority vested in me by the Constitution and laws thereof do hereby grant to the said Wright a pardon for said offence, and hereby direct the Superintendent of the State Penitentiary to release and discharge him from all further imprisonment for said offence.

In testimony whereof, I have hereunto signed my name, and caused the great seal of the State to be affixed, at the City of Austin, this the Eighth day of December A.D. 1857, and in the year of the Independence of Texas, the twenty second year.

Seal

E M Pease

By the Governor
Edward Clark
Secretary of State.

Executive Office
Austin, Texas, Dec. 11th 1857.

Hon: Lewis Cass
Secretary of State

Sir: I have the honor to acknowledge the receipt of your letter of the 28th of Oct. last, inclosing copies of two notes from General Robles y Pezuela, the Minister of the Mexican Republic of the 14th and 19th of Oct.

The recurrence complained of were communicated to this office, early in September last, and prompt measures were taken, to arrest and punish the offenders, and to prevent a repetition of such outrages.

I transmit herewith, for your information, a copy of a special message sent to the Legislature on the 11th of November last, which gives a full statement of the measures taken by me to arrest and punish those engaged in the transaction complained of.

Laws will doubtless be passed by the Legislature of this State, now in session, that will prevent such offences for the future.

Very respectfully.
E M Pease

The State of Texas

Whereas, James Powell was heretofore tried by the District Court of Austin County and said State on a charge of murder, and was convicted therefor, and subsequently at the Fall Term of said Court, in the year 1857, he was sentenced therefor, to be hung by the neck until he is dead; which sentence was directed by the Court to be executed by the Sheriff of said County on Friday, the fifteenth day of January A.D. 1858, between the hours of ten o'clock A.M. and four o'clock P.M.; and whereas, the said Powell has already been confined in the County Jail of said County for about three years, and it has been made known to me, that he has, during that period, clearly shown that he has repented for said offence, and whereas, numerous petitions have been presented to me asking that his punishment be commuted to imprisonment for life in the State Penitentiary.

Now, therefore, in view of these circumstances, I, E. M. Pease, Governor of said State, by virtue of the authority vested in me by the Constitution and laws thereof, do hereby commute the punishment of said Powell from that directed to be inflicted by the sentence of said Court to imprisonment for life in the State Penitentiary, there to be employed at hard labor, and the Sheriff of said County is hereby directed not to execute the said sentence of said Court, but, in lieu thereof, to convey the said Powell to the State Penitentiary at Huntsville, and deliver him to the Keeper thereof, to be by him confined therein at hard labor for and during the term of his natural life.

In testimony whereof, I have hereunto

Given under my official signature, and caused the Great Seal of the State to be affixed, at the City of Austin, this the twelfth day of December, A.D. 1859, and in the year of the Independence of Texas, the twenty-second.

E M Pease

By the Governor:
Edward Clark
Secretary of State.

The State of Iowa.

Whereas, a law has been passed directing a Special election to be held for a Senator in the 21st Senatorial District, to fill the vacancy occasioned by the resignation of the Hon. E. M. Sullivan, after five days notice shall have been given in the several Counties composing said District, and whereas, the same law also directs that the different election precincts in said District should make their returns to the Chief Justices of their respective Counties within three days after the election, and that the County returns shall be made by the respective Chief Justices to the Chief Justice of Pottawattamie County, within eight days after said election; and that on the ninth day after the election, the Chief Justice of Pottawattamie County shall open and count the returns and give a certificate of election to the person having the highest number of votes.

Now, therefore, I, E. M. Pease, Governor of said State, by virtue of the authority vested in me, by the Constitution and laws thereof, do hereby direct that a special election be held in the Counties of Dragoon, Harrison, Sioux and Pottawattamie, on the 28th day of December, 1857, for one Senator to represent said District in the Seventh Legislature of said State. The Chief Justices of said Counties, or in case any of them are absent or unable to serve, or any of said offices are vacant, then two of the County Commissioners will cause said elections to be held, and make return thereof to be made in accordance with the laws of which are attached in hereinbefore given.

In testimony whereof, I have hereunto set my signature, and caused the Great Seal of the State to be affixed at the City of Iowa City, this 18th day of November, A.D. 1857.

E. M. Pease

By the Governor
Edward Clark
Secretary of State

Executive Office
Austin, Texas, Dec. 15. 1859

Capt. J. H. Gardner

Sir:

I have the honor to transmit herewith, a joint Resolution of the Legislature, requesting our Representatives and instructing our Senators in the United States Congress, to call upon the United States Government to refund the money heretofore expended out by the State of Texas since the 24. of February 1858 for the defence of her frontier, as is in accordance with a request contained in said Resolutions, & also send herewith a statement prepared by the Comptroller of the State, of all the money so expended by this State for the defence of the frontier since the 24. day of February 1858.

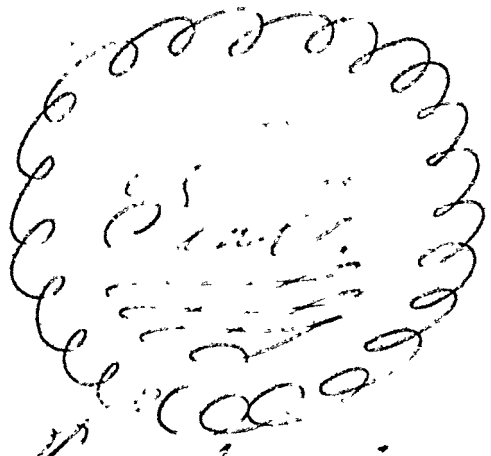
I am respectfully
your Obt. Servt.
Ed Pease

A similar letter with a copy of the Resolutions and statement of the Comptroller was sent the same day to Hon. Thos. H. Leaguer, Hon. Jas. Pickney Henderson, and Hon. Daniel Clark Members of Congress.

The State of Texas.

To all, to whom these presents shall come, Greeting &c. That reposing special confidence in the integrity and discretion of A. H. Roads Esq. of Bexar County, I, E. M. Pease, Governor of said State, by virtue of the authority vested in me by "the act to provide for the payment of a company "of mounted volunteers called into service by the "Governor, for the protection of those engaged in "transporting goods and merchandize over the road "from San Antonio to the Gulf," Approved Dec. 14th 1857, do hereby appoint him, the said A. H. Roads, Paymaster, to pay off the said Company, commanded by Captain G. T. Nelson, for their services, according to the rates allowed by the United States, to volunteer mounted Militia, when called into their service. The said payment to be made in accordance with the muster roll of said Company, and the certificate of Captain Nelson as to the time of service of each officer and private, for which duty, the said Roads is to receive one hundred dollars, upon making a final settlement with the Comptroller of his acts under this appointment.

In testimony whereof I have hereunto set my signature and caused the Great Seal of the State to be affixed, at the City of Austin, this the 19th day of December A.D. 1857, and of the year of the Independence of Texas the 22nd.



By the Governor
Edward Clark
Secretary of State.

E M Pease

The State of Texas

To All, Whereas, on the 28th day of August, 1857 before F. A. Acker, a Justice of the Peace in and for the County of Polk in said State, one Daniel Fanning and Mrs. A. Hickson and S. C. Hanley were tried for an assault and battery, the first mentioned being charged as Principal, and the five last mentioned as accomplices, when the said Fanning and Hickson were convicted, and each sentenced to pay a fine of Ninety dollars and the costs of the prosecution, and whereas, the affidavits of said Fanning and Hanley have been presented to me, which state that said Hickson was not a party to said assault and battery, in any way, and that he was not an accomplice as charged, and it has also been made known to me that said Hickson offered to prove, at the trial, by said Fanning & Hanley that he in no manner, advised, encouraged, commanded or aided in any manner whatever in the commission of said offence, but the court refused to admit their testimony, and whereas, I am satisfied from said affidavits, that said Hickson was improperly convicted and ought not to pay said fine.

Now, therefore, I, E. M. Pease, Governor of said State, by virtue of the authority vested in me by the Constitution and laws thereof, do remit, release and discharge the said fine and judgment against said Hickson, leaving the same in full force against said Fanning and against said Hickson only so far as the same regards and condemns him to pay the costs.

In testimony thereof, I have hereunto signed my name, and caused to be affixed the Great Seal of the State, at the City of Austin, this the 18th day of December A.D. 1857, and of the Independence of Texas the 22nd year.

Seal

By the Governor

Edward Clark
Sec'y of State.

E M Pease

The State of Texas

Whereas, it has been made known to me by William Fields, the State Engineer and Superintendent of the improvements upon the Rivers and other navigable waters in Texas, that he cannot perform all the duties required of him by law in superintending the works already contracted for, unless he defers making contracts for other improvements, until those contracted for are completed, which makes it necessary in my opinion, that some person should be appointed to superintend a portion of them.

Now, therefore, I, E. M. Pease, Governor of said State, by virtue of the authority vested in me by the provisions of "An Act to encourage the improvement of the Navigable waters in Texas, by making appropriations for the same," Passed August 1st 1856, — do hereby appoint Ward Taylor Senior, of Cass County, to superintend the work to be done upon the Big Cypress Bayou, under the contract made by the State Engineer for said object; — Hereby giving and granting to the said Ward Taylor Senior, all the rights, privileges and emoluments, and subjecting him to all the duties given to or required of such an Officer, under the provisions of the said recited Act.

In testimony whereof, I have hereunto affixed my name and caused the great Seal of the State to be affixed, at the City of Austin, this the Eighteenth day of December A.D. 1857, and in the year of the Independence of Texas the twenty-second.

Seal

E M Pease

By the Governor
Edward Clark
Secretary of State.

The State of Texas,

Whereas at the Fall Term of the District Court of Travis County in said State for the year 1857, the following judgments were rendered, viz: Case No. 812. The State vs Heffington and Randolph for a fine of seventy dollars against each defendant besides costs. Case No. 815. The State vs Heffington and Randolph for a fine of seventy-five dollars against each defendant, besides costs. Case No. 819 The State vs Heffington and Wallace for a fine of fifty eight dollars against each defendant besides costs. Case No. 820 The State vs Heffington and Wallace for a fine of one hundred dollars against each defendant besides costs, all of which fines were adjudged for retailing liquors without licenses, and whereas an opinion prevailed very extensively that the laws under which said fines were imposed, had been repealed by the Penal Code, until the recent decision of the Supreme Court on the subject; and whereas it has been made known to me that said Heffington and Wallace who are the successors of Heffington and Randolph have procured licenses to pursue their business since the said decision of the Supreme Court.

Now, therefore, upon a consideration of the premises I, Elisha Pease Governor of said State by virtue of the authority vested in me by the Constitution and laws thereof, do hereby remit and release the said two fines of seventy dollars in case No. 812 and of seventy-five dollars in case No. 815 upon condition that the said Heffington and Randolph shall within two days from the date hereof, pay into Court, or give security to the satisfaction of said Court for the payment of a single fine of fifty dollars in each of said cases, together with all costs and fees liable to be taxed in each of them, and I also hereby remit and release the said two fines of one hundred dollars in case No. 819 and of fifty eight dollars in case No. 820, and of one hundred dollars in case No. 821, upon condition that the said Heffington and Wallace shall within ten days from the date

Sheriff, pay into Court or give security to the satisfaction of said Court for the payment of a single fine of fifty dollars in each of said cases, together with all costs and fees liable to be taxed in each of them.

In testimony whereof, I have hereunto signed my name, and caused to be affixed the Great Seal of the State, at the City of Austin, this the Nineteenth day of December A.D. 1857, and in the year of the Independence of Texas, the 22nd.

Seal

E M Pease

By the Governor

Edward Clark

Secretary of State

Executive Office
Austin, Dec. 19th 1857.

C. A. Roads Esq.
Sir:

I enclose you a copy of the law, under which you was appointed Pay Master, to pay off the Company of Captain J. A. Nelson for their services. By a reference to the 3rd section thereof, you will see that you are required to perform that duty at the City of San Antonio. You will be governed by the muster roll and the certificates of Captain Nelson, in ascertaining the time that each officer and private has served, and also in ascertaining the mileage; you will then pay them according to the rates allowed by the United States, to volunteer militia when called into their service. You will be accountable for your payments, as are accordingly taken by the Pay Masters of the United States, and return them to the Comptroller, which you may transmit or deliver with bond of your appointment your appointment.

E M Pease

Chicago Office
Sedalia, Dec. 19th 1864

Stephen G. Fletcher
Esq.

Dear Sir:

I have just received your letter of the 17th inst, in which you state that you discharged all of your men, leaving at the ends of each stage, from the time they were received, with the exception of some one under the command of Doctor Blackburn, who and how did you know he was a traitor, and have you not rebounded in your action discharge the soldiers of the Campbell as soon as they returned to Sedalia?

Is it proper to have officers appointed by the commander for their services, you write directly to him or the certified copy of your proceedings together with a certificate of the loss of services by each officer and forward to Maj. Gen. Pope, Saint Louis?

Are such orders returned to their officers duly certified?

Your letter also contains a serious charge against Lt. Col. Jones, and if discovered by the witness such charge would cause the prosecution to shelve Lieutenant.

Although requesting a speedy answer, you will come to the company stored, leaving bodies and others to the Quartermaster in charge where it is.

Your order also refers to the officers, and the court martial, in attendance of all officers detached for such corps of cadets for service in the campaign.

Yours with respect
Ellis Rose

State of Iowa.

Whereas, at the Spring Term of the District Court in and for Van Buren County in the year 1857, a final judgment was rendered in favor of the State of Iowa against Wm. B. Gage and Nathaniel Chandlis for the sum of two hundred dollars besides costs which a recognizance is in said Court for the appearance of said Gage to answer an indictment pending therein, for altering the mark and brand of a certain steer, the property of William Hodgens, and whereas it has been made known to me that after the rendition of said final judgment and before the final judgment upon said recognizance, a capias was issued thereon and sent for the arrest of said Gage, at the instance of said Chandlis, upon which said Gage was arrested, and brought before the Judge of the District Court on a writ of Habeas Corpus, upon his giving a bail bond with sureties for his appearance to answer said charge which said bail bond has been forfeited, and whereas, an application has been made to me for a suspension of said judgment against said Chandlis, on the grounds that he caused the said Gage to be arrested for his benefit, at his sole expense, said Court not desiring to arrest said final judgment, but only prevent further injury from there by reason of his having discharged said bail bond.

Now, therefore, in consideration of the premises I, Curtis Clark, governor of said State, by virtue of the authority vested in me by the Constitution and laws of the State of Iowa, do hereby remit and release the said judgment so far as it relates to said Chandlis, upon the said Gage and his sureties, upon the payment of the costs of the prosecution, and I do hereby direct the Clerk of said Court to enter a satisfaction of said judgment upon the record thereof.

[illegible]

Curtis Clark

Ed Rice

The State of Texas.

Whereas, at the Fall Term of the District Court in and for the County of Gonzales in the year 1857, three final judgments were rendered in favor of the State of Texas against A. Burton and Elizabeth Mitchell for the sum of one hundred dollars each besides costs, upon three recognizances or bail bonds in said court, for the appearance of said Burton to answer three several Indictments for paying Faro and concealed, it has been represented to me that said Burton is still in the County and willing to appear and stand his trial at the next Term of said Court, under said Indictments

Now therefore, I, Elisha Pease Governor of said State, by virtue of the authority vested in me by the Constitution and laws do hereby suspend the collection of said Judgments so far as regards the principal thereof, until after the adjourning Term of the District Court for the County of Gonzales, leaving said judgments in full force so far as regards the costs and fees taxed therein and upon condition that the said A. Burton shall appear and stand his trial under said three indictments at the next ensuing Term of said District Court and pay the fines and costs that may be adjudged against him in case of his conviction under them, then the principal sum of said three judgments first herein described, in favor of the state against said Burton and Mitchell, shall be remitted and finally released and discharged, but if the said Burton shall fail to appear at said ensuing Term of said Court and stand his trial under said three indictments and pay the fines and costs that may be adjudged against him in case of his conviction then said three first named judgments shall be and remain in full force and effect.

In testimony whereof, I have hereunto signed my name, and caused the great Seal of the State to be affixed, at the City of Austin, this the 19. day of Dec. A.D. 1857, and of the Independence of Texas the twenty second year.

Seal

By the Governor:
Edward Clark
Secretary of State.

Elisha Pease

The State of Texas.

Whereas, at the Fall Term of the year 1856, of the District Court in and for the County of Travis, one C. C. Moore was tried and convicted of the Crime of Murder in the second degree, and was sentenced therefor to be confined at hard labor in the State Penitentiary for six years, under which sentence he is now been confined in the Penitentiary for many months: and whereas, circumstances have been made known to me that greatly extenuate his offence, and it has also been made made known that previous to said offence, he sustained a good character.

Now, therefore, I, E. M. Pease, Governor of said State, by virtue of the authority vested in me by the Constitution and laws thereof, do hereby grant to the said Moore a pardon for said offence, and hereby direct the superintendent of the State Penitentiary to release and discharge him from all further imprisonment for said offence.

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State to be affixed, at the City of Austin, this the Nineteenth day of December A.D. 1857, and in the year of the Independence of Texas, the Twelfth.

(Seal.)

By the Governor:
Edward Clark
Secretary of State.

E M Pease

The State of Texas

Whereas, under the authority vested in me by "A Joint Resolution authorizing the Governor to raise "and muster into the service of the State, mounted "men for the protection of our frontier." Approved November 17. 1857, I did on the 23d. day of November 1857 authorize John H. Conner to enroll a Company of thirty mounted men in the Counties of Brown and San Saba, to serve for three months for the protection of the settlements in those Counties, against the incursions of hostile Indians, and to cause an election to be held, by said Company, when enrolled, for one Lieutenant to command the same, and Whereas, the said John H. Conner* was duly elected the Lieutenant to command said Company.

Now, therefore, I, E. M. Pease, Governor of said State, by virtue of the authority vested in me by said Joint Resolution do hereby appoint and Commission him, the said John H. Conner, as a Lieutenant from the day of his said election; hereby vesting him with all such authority as pertains to his said office under his letter of instructions, and such other instructions as may from time to time be given to him by the Executive of this State for the time being.

In testimony whereof, I have hereunto signed my name, and caused to be affixed the great Seal of the State, at the City of Austin, this the Nineteenth day of December A.D. 1857, and of the Independence of Texas the 22d year.

Seal.

By the Governor
Edward Clark
Secretary of State.

E M Pease

* has reported that he caused said Company to be enrolled and said election held on the second day of December 1857. and that John H. Conner

The State of Texas

Whereas, under the authority vested in me by "A Joint Resolution authorizing the Governor to raise and muster into the service of the State mounted men for the protection of our frontier" Approved November 17th 1857. I did on the 23rd of November 1857, authorize Neill Robinson Esq. to enroll a company of twenty mounted men in the settlements on the waters of the upper Blanco and Guadalupe to serve for three months for the protection of said settlements against the incursions of hostile Indians, and to cause an election to be held by said company, when enrolled, for one Lieutenant to command the same, and whereas, the said Neill Robinson has reported that he caused said company to be enrolled, and said election to be held on the 14th day of December 1857, and that John Seaborn Hodges was duly elected the Lieutenant to command said Company.

Now, therefore, I, E. M. Pease Governor of said State, by virtue of the authority vested in me by said Joint Resolution, do hereby appoint and commission him the said John Seaborn Hodges as a Lieutenant, from the day of his election; hereby vesting him with all such authority as pertains to said Office under his letter of instructions, and such other instructions as may from time to time be given to him by the Executive of this State for the time being.

In testimony whereof I have hereunto signed my name, and caused to be affixed the Great Seal of the State, at the City of Austin this the Nineteenth day of Dec. A.D. 1857, and of the Independence of Texas, the twenty-second year.

E. M. Pease

By the Governor
Edward Clark
Secretary of State.

The State of Texas.

Proclamation - By the Governor

Whereas, the Seventh Legislature of the State of Texas, has passed a law creating the Nineteenth Judicial District, composed of the Counties of McLennan, Bosque, Erath, Palo Pinto, Buchanan, Comanche, Coryell and Bell, which Act was approved on the 19th day of December, A.D. 1857, and takes effect from and after its passage; and whereas, by said Act, it is made the duty of the Governor of the State to order an election to be immediately held in said Judicial District for a District Judge and District Attorney, in conformity to the laws governing elections for District Judges and District Attorneys, and that the Secretary of State, on the 30th day after said election, shall open and count the returns of said election.

Now, therefore, I, E. M. Pease, Governor of said State, do, by virtue of the power and authority vested in me by the Constitution and laws thereof, and in obedience to the requirements of the Act creating the said 19th Judicial District, hereby order and direct that an election be held at the several precincts of the Counties composing the said 19th Judicial District, on Monday, the 25th day of January, 1858, for the election of a District Judge and District Attorney for said Judicial District.

That the Chief Justices, or any two of the County Commissioners of said Counties, give due notice of said election and cause polls to be opened therefor on the day aforesaid, and that they make due and prompt return thereof to the Secretary of State at the Seat of Government, endorsed "Election Return of County, for District Judge and District Attorney, of the 19th Judicial District."

Seal.

In testimony whereof, I have hereunto signed my name, and caused to be affixed the great Seal of the State, at the City of Austin, this the 19th day of December, A.D. 1857, and of the year of Texas Independence the twenty-second.

E. M. Pease

By the Governor

Edward Clark Secy of State.

Executive Office
Austin, Texas, May 1st 1856.

James H. Raymond Esq
Sir:

You are hereby appointed to pay off the Company of Capt Charles E. Travis under the provisions of "An act to provide for the payment of six Companies of Mounted Volunteers that were mustered into the service of the State of Texas on the first day of November A.D. 1854, under a requisition of Brevet Major General Persifer F. Smith, and to pay the expenses incurred by said Company." Approved 14th January 1856, and an act to amend the seventh section of said Act, Approved 1st of February 1856. Your compensation for services will be the same as may hereafter be allowed to the persons appointed to pay off the companies.

E M Pease

Executive Office
Austin, Texas, 13 Aug. 1857.

Sir:

Having learned that Col. A. S. Johnston has been ordered from this State to another section of the Union, I am led to believe that his Regiment or a portion of it will soon be also ordered away, in which case our frontier will be left without an adequate mounted force to give protection to our citizens, indeed with his entire regiment in service here, there have been frequent depredations committed by the Indians upon the lives and property of our citizens during the past year, previous to the recent attack upon the mail train to El Paso.

This state of affairs induces me to write you in regards to the situation of our frontier, and the mode of giving it protection.

Your high character and energy give assurance to our citizens that you will be the man to give them protection, but without a regiment of mounted force at your command [illegible]

of a description that can be efficiently employed against wandering tribes of Indians, we cannot expect that you will be able to give us security.

We feel that no force but a mounted one, will be of any service against the enemies by which we are surrounded, and that even a mounted force, to be efficient, should be composed of men who are familiar with the situation of the Country and with the service in which they are to be employed. A Regiment of such men could easily be raised in this State, who know the habits and mode of warfare pursued by the Indians, and whose, from their interest in and identity with the Country would be stimulated to extraordinary efforts in the pursuit and chastisement of our savage foe.

Such a Regiment with the Company Officers elected by the soldiers, and the field officers appointed by the President would be more efficient than any other force that could be employed here, and I am well satisfied that under your skilful direction it would soon put a stop to the depredations of our savage enemy.

I trust you will excuse the liberty I have taken in addressing you on this subject for it has been from a strong desire to have a course adopted which the large mass of our citizens believe to be the only one that can give them an effectual relief from Indian hostilities.

I shall be pleased to have your views in regard to this matter, and should the raising of such force meet your approval, I doubt not but upon your recommendation aided by the efforts of our delegation in Congress would induce that body to give the measure a trial.

Very respectfully
your obt servt
E M Pease

To Brig Genl
David E. Twiggs
Comdg Dept of Texas

Executive Office
Austin, Texas, Aug. 22d 1857.

Sir: I have the honor to acknowledge the receipt of your letter of the 5th inst. enclosing a translation of a note addressed to your Department by General Robles, the Minister of the Mexican Republic, in relation to an alleged undertaking by Mr. James Pagoffin, to divert the course of the Rio Grande opposite the Town of El Paso.

I have requested the District Attorney of the County in which the alleged work is being constructed, to advise this office particularly, as to the character of the work of Mr Pagoffin, and the effect it will have upon the stream, and have also directed that officer, in case the work shall be such as one, as violates our laws against the obstruction of navigable streams, to cause the parties to be prosecuted, and the obstruction to be removed.

When a report is received from that officer, it will be communicated to you.

Very respectfully
Your Obt Servt
E M Pease

To the Hon:
Harris Cass
Secy of State
of the United States.

Executive Office
Austin, Texas, Aug. 22nd 1857.

A. C. Hyde Esq.
District Attorney.

Dear Sir:

I send you, enclosed, a copy of a communication received from the Secretary of State of the United States, together with a copy of another communication to his Excellency, from General Robles, Minister of the Mexican Republic, in relation to an alleged undertaking by Mr. James Pagotin to divert the course of the Rio Grande above the Town of El Paso.

I will thank you to advise this office what the character of the work is, that has been commenced by Mr. Pagotin, or is supposed to be, I suppose it should be, and what the effect of it would be, as alleged, to divert the course of the Rio Grande.

Should the work be of such a character as to obstruct the navigation of the River in violation of our laws, you will cause the parties concerned in it to be prosecuted.

An early answer is desired.

Yours with respect,
E M Pease

Executive Office
Austin, Texas, Oct. 1st 1856.

James H. Raymond Esq.
Sir:

Having been unable to find any person who will accept the office of paymaster for the Companies of Captains Wm Tom Jr. Levi English and Wm G. Tobin, and pay them in the manner and for the compensation provided for by "An Act providing for the payment of the Companies of mounted volunteers, commanded by Captains Wm Tom Jr. Levi English and William G. Tobin, organized for the temporary protection of the western frontier of Texas," approved 30th August 1856, I have concluded to appoint you to make said payments at the Treasury. You will therefore proceed and make the payments to said Companies at the State Treasury as the parties may apply for the same, being governed in other respects by the provisions of said act.

E M Pease

Executive Office
Austin, Texas, 17 Dec. 1857.

To the Honr:
The Senate of the State of Texas,

I have the honor to transmit herewith a communication from the Comptroller of Public Accounts, containing the information asked for, in a resolution of your honorable body passed on the 9th inst.

E M Pease

Executive Office
Austin, Dec. 9. 1857.

James B. Shaw Esq.
Comptroller of Public Accounts

Sir:

Enclosed you will find a copy of a Resolution of the Senate, asking for information "what Assessors "and Collectors of Taxes are in default to the "State for Taxes collected since the organization "of the State Government, with the amount for "which they may be in default, and whether "suits have been instituted for the amount in "default, and what is the condition of such "suits."

I wish you would as early as convenient furnish this Office, with the information asked by said resolution, so far as it can be done from the records and papers in your Office

Very respectfully
your Obt. Servt.
E M Pease

Executive Office
Austin Dec. 15. 1857.

Gentlemen of the Senate
and House of Representatives.

I transmit herewith for your information, a communication from the Comptroller of Public Accounts, in relation to the bids that have been received for the five hundred thousand dollars of United States bonds, that were advertized for sale, under a notice by him on the 9th of Oct. last.

It will be seen from an examination of these bids, that under the most favorable one, the net amount that would probably be received on the bonds would be about ninety eight and three quarter cents of the dollar.

The Comptroller has thought it best to refer this matter to you, to decide what action he shall take in regard to the bids.

My own impression is, that authority might to be given to the Comptroller, to dispose of such amount of these bonds, for specie, as will be sufficient to meet all demands against the Treasury, on the best terms that can be done.

E M Pease

Valedictory Address

Fellow-Citizens:

My duties as Chief Magistrate of Texas have ceased, and I surrender the office to one whose conservative course during a long service in the Legislature, and as Lieutenant Governor, has recommended him to the confidence of his fellow-citizens. His administration commences under auspicious circumstances, and I trust that its progress and termination will be honorable to himself and acceptable to the people of the State.

During the time that I have had the honor to fill the office of Governor many difficult and vexed questions of public policy have been disposed of, among them, the settlement of our Revolutionary debt was the most important. It had for years, engaged the attention and occupied a large portion of the time of the Legislature, and yet seemed to be no nearer a final settlement, than at the period of Annexation. Delay only complicated the question still further, and left it to the actions of those who not having participated in the scenes out of which it grew, could not feel the same obligation to see it justly managed, as the generation by which it was contracted.

I was familiar with the nature and origin of that debt, and with all the difficulties in the way of its settlement. While there were many and strong objections to the act of Congress, by which the United States proposed to pay it, I felt that it would be a less evil to accept it, than to leave the question open, and thereby embarrass our Legislation and retard the progress of all plans for Internal Improvements; these considerations induced me to recommend its acceptance though apparently in violation of the public sentiment of the State, as expressed by the partial vote of the people in regard to it. Now, that the subject has been disposed of, and the effect of its payment upon the reputation and credit of the State abroad and its prosperity at home, has been seen and appreciated by our citizens, I am happy to believe, that few can be found who would recall the act.

It was my fortune frequently to differ with ~~your~~ your predecessors, in regard to the merits of laws, which they had passed. On such occasions, I did not hesitate to exercise the veto power, and with few exceptions, my action was sustained by them, when they came to re-consider the questions. My course in this regard subjected me to censure from those who seemed to think that the veto should only be used to arrest the progress of measures that are repugnant to the Constitution. That instrument however, imposes no such limitation upon its exercise, and an Executive who would avoid the responsibility of making use of it to arrest what he deemed improper and unwise acts of Legislation, would be as faithless to his trust, as the representative would be, who might shrink from recording his vote against them.

I do not propose to review all the measures of the government, in which I have borne a part. But there are some, whose influence will be as lasting as the government itself. I refer to the creation of the School fund, the establishment and endowment of a Lunatic Asylum, and institutions for the education of the Blind and the Deaf and Dumb. It will ever be a source of gratification, that I aided in the adoption of these measures, and if nothing else had been done during my official term, these alone would be sufficient to mark it as an era in the history of the State.

Although my official connection with the State has ceased, my interest in its prosperity and progress will remain undiminished. Having been identified with the country since the days of its colonial dependence, and having passed with it through all its vicissitudes and trials, and contributed to the formation of its institutions and its laws, I cherish for it no ordinary attachment and shall never cease ~~cease~~ to feel the most ardent desire for its welfare.

To you, Gentlemen of the Senate and House of Representatives is entrusted the duty of legislating for the State, at a period of great importance in its history. It is a responsible duty, but I have no misgivings that you will discharge it in a manner satisfactory to the people and to the world. I remain

its vast resources. With all these advantages at the command of the Legislature, by a wise and liberal policy, Texas ought, at no distant period, to occupy a proud position in the Union.

Ed Rusk

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